

Comprehensive School Safety Plan

**2024-2025
School Year**

School: Arroyo Verde Elementary School
CDS Code: 36-67843-6108179
District: Redlands Unified School District
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Highland, CA 92346
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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 Arroyo Verde Elementary Office.

Safety Plan Vision

Arroyo Verde Elementary School will provide a safe, orderly, and secure environment conducive to learning.

Arroyo Verde Elementary School will create a school in which pupils will attend regularly and be safe from both physical and social-psychological harm.

Arroyo Verde Elementary School will work collaboratively with the district office and school board to identify, establish and use strategies and programs to comply with school safety laws.

Arroyo Verde Elementary School will develop a plan to work cooperatively and collaboratively with parents, pupils, teachers, administrators, counselors and community agencies, including law enforcement, to provide a safe and orderly school and neighborhood.

Arroyo Verde Elementary School will develop an academic program that will focus on high expectations of pupil performance and behavior in all aspects of the school experience.

Arroyo Verde Elementary School will work collaboratively with other elementary, middle schools and high schools to assist in a smooth transition from one school level to another.

Arroyo Verde Elementary School will solicit the participation, views, and advice of teachers, parents, school administrators, and community members and use this information to promote the safety of our pupils, staff and community.

Components of the Comprehensive School Safety Plan (EC 32281)

Arroyo Verde Elementary School Safety Committee

Taylor Ivcevic, Lori Heston, Fausto Rios, Marie McCully, Nicole Steinhaus

Assessment of School Safety

School crime is reported annually to the State of California. Arroyo Verde ES works closely with Student Services and the San Bernardino County Sheriff to ensure compliance with all reporting, laws and penal codes.

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

Arroyo Verde Elementary School is one of twenty-four schools in the Redlands Unified School District with traditions dating back to 1991. Arroyo Verde Elementary School has a diverse pupil student body and is served by a dedicated staff. Both staff and parents comment on the positive changes that are ongoing in our school.

Arroyo Verde Elementary School faces challenges in maintaining a safe school. This section of the Comprehensive School Safety Plan will describe programs in place at our school as well as strategies and programs of our school site council for continued improvement in providing a safe, orderly, school environment conducive to learning.

Personal Characteristics of Pupil & Staff

(Additional Health and Welfare Data available from ICOE aggregated DAT surveys)

Arroyo Verde Elementary School has an enrollment of 513 pupils in TK-5. Pupils from this school come from families with 1% family mobility. The ethnic makeup of the pupil population is 54% Hispanic, 7% Black, 20% Caucasian 6% Asian, and 13% other. Our pupils have a variety of life experiences. Some pupils have recently arrived from foreign countries while others have never left their neighborhood.

Curriculum and Educational Activities

The course of study includes the basic core curriculum, physical education and enrichment classes such as art, theater, choir, band, and orchestra.

Pupils have the opportunity to participate in noon and after-school activities including after-school tutoring.

Staff provides opportunities and additional activities open to pupils in the areas of Jogger's Club and PTA Activities.

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

Policy 5141.4: Child Abuse Prevention and Reporting

The Governing Board recognizes that the district has a responsibility to facilitate the prompt reporting of incidents of child abuse and neglect. The Superintendent or designee shall ensure that parents/guardians have access to procedures whereby they can report suspected child abuse at a school site to appropriate child protective agencies

The Superintendent or designee shall develop and implement regulations for use by employees in identifying and reporting child abuse

District employees shall report known or suspected incidents of child abuse in accordance with district regulations and state law. Employees shall cooperate with the child protective agencies responsible for reporting, investigating and prosecuting cases of child abuse.

(cf. 4112.9 - Signed Statements/Child Abuse Reporting Statements)

The Superintendent or designee shall provide training in child abuse identification and reporting for all certificated and classified personnel. (Penal Code 11165.7)

All employees trained in child abuse identification and reporting shall be given, as a part of that training, written notice of the child abuse reporting requirements and the employees' confidentiality rights. (Penal Code 11165.7)

In order to reduce or eliminate unfounded child abuse accusations directed at school employees, child abuse in service training shall include guidance in disciplining students and maintaining ethical relationships with them.

(cf. 3514 - Safety)

(cf. 5142 - Safety)

Duty to Report

Certificated employees and classified employees trained in child abuse identification and reporting shall report known or suspected child abuse to a child protective agency by telephone immediately or as soon as practically possible and in writing within 36 hours. The reporting duties are individual and cannot be delegated to another individual except under circumstances set forth in Penal Code 11166.

Definitions

Child Abuse includes the following:

1. A physical injury inflicted by other than accidental means on a child by another person.
2. Willful cruelty or unjustifiable punishment of a child, or willfully inflicting unjustifiable physical pain or mental suffering, or failure to safeguard a child from these injuries when the child is under a person's care or custody
3. Sexual abuse of a child
4. Neglect of a child or abuse in out-of-home care
5. Unlawful corporal punishment or injury resulting in a traumatic condition

Mandated Reporters are those people defined by law as child care custodians, health practitioners, child visitation monitors and employees of a child protective agency. Mandated reporters include virtually all school employees. The following school personnel are required to report:

Teachers, administrators, supervisors of child welfare and attendance, certificated student personnel employees, employees of care institutions, Headstart teachers, school psychologists, licensed nurses, counselors, presenters of child abuse prevention programs and those instructional aides or other classified employees trained in child abuse reporting.

Child Protective Agencies are those law enforcement and child protective services responsible for investigating child abuse reports, including the local police or sheriff department, county welfare or juvenile probation department and child protective services.

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

Reporting Procedures

To report known or suspects child abuse, any employee (as defined above) shall report by telephone to the local child protective agency immediately. (Child Protective Services 921 County Center, 3 Court, Modesto, CA phone # 525- 6641)

The following information shall be given:

1. The name of the person making the report
2. The name of the child
3. The present location of the child
4. The nature and extent of any injury

Any other information requested by the child protective agency, including the information that led the mandated reporter to suspect child abuse.

When the verbal 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.

Within 36 hours of making the telephone report, the mandated reporter shall complete and mail to the local child protective agency a written report which includes a completed Department of Justice form (DOJ SS 8572).

Mandated reports may obtain copies of the above form either from the district or local child protective agency.

Instructions are included on the form, and reporters may ask the site administrator for help in completing and mailing it; however, the mandated reporter is personally responsible for ensuring that the written report is correctly filed.

Employees reporting child abuse to a child protective agency are encouraged, but not required, to notify the site administrator or designee as soon as possible after the initial verbal report by telephone. When so notified, the site administrator shall inform the Superintendent or designee.

Administrators so notified shall provide the mandated reporter any assistance necessary to ensure that reporting procedures are carried out in accordance with law and district regulations. At the mandated reporter's request, the principal may assist in completing and filing the form.

If the mandated reporter does not disclose his/her identity to a district administrator, he/she shall at least provide or mail a copy of the written report to the site administrator and the district without his/her signature or name.

Legal Responsibility and Liability

Mandated reporters have absolute immunity. School employees required to report are not civilly or criminally liable for filing a required or authorized report of known or suspected child abuse.

A mandated reporter who fails to report an instance of child abuse, which he/she knows to exist or reasonably should know to exist, is guilty of a misdemeanor and is punishable by confinement in jail for a term not to exceed six months or by a fine of not more than \$1,000 or both. The mandated reporter may also be held civilly liable for damages for any injury to the child after a failure to report

When two or more persons who are required to report have joint knowledge of suspected instance of child abuse, and when they so agree, the telephone report may be made by either of them and a single report made and signed by that person.

However, if any person who knows or should know that the person designated failed to make the report, that person then has a duty to make the report.

The duty to report child abuse is an individual duty and no supervisor or administrator may impede or inhibit such reporting duties. Furthermore, no person making such a report shall be subject to any sanction.

Victim Interview

Upon request, a child protective agency representative may upon request interview a suspected victim of child abuse during school hours, on school premises, concerning a report of suspected child abuse that occurred within the child's home. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. (Penal Code 11174.3)

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

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

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

Peace officer and child protective services agents will be asked to sign an appropriate release or acceptance of responsibility form.

(cf. 5145.11 - Questioning and Apprehension)

When School Employees are Accused of Child Abuse

Regardless of who child abusers may be, the major responsibilities of mandated reports are to 1) identify incidents of suspected child abuse, and 2) comply with laws requiring the reporting of suspected abuse to proper authorities. Determining whether or not the suspected abuse actually occurred is not the responsibility of the school employee. Such determination and follow-up investigation will be made by a child protective agency.

Pending outcome of an investigation by a child protective agency and before formal charges are filed, the employee may be subject to reassignment or a paid leave of absence.

Upon filing formal charges or upon conviction, the district may take disciplinary action in accordance with law, district policies, regulations and/or collective bargaining agreements. The Superintendent or designee shall seek legal counsel in connection with either the suspension or dismissal of the employee.

(cf. 4117.4 - Dismissal)
(cf. 4118 - Suspension/Disciplinary Action (Certificated))
(cf. 4218 - Suspension/Disciplinary Action (Classified))

Suspected Child Abuse Reporting Procedures

I. Initiating the Report

A. The report is initiated by a telephone report to the appropriate agency.

B. If the suspected child abuse has taken place within the family, call the Enter appropriate Agency Hotline at phone number, 1 (800) 827-8724

C. If the suspected child abuse has taken place outside the family, call the local police department at:

Highland Sheriff Police Department
Phone: (909) 425-9793

D. Content of call.

- 1) Name, address and age of child involved.
- 2) Clear description of suspected abuse.

II. Written Report

A. The telephone call is to be followed by completion of the Suspected Child Abuse Report (form 11166.P.C.). These forms are available in the Principal's office at the high school or you may access the form on line at:
http://ag.ca.gov/childabuse/pdf/ss_8572.pdf for a form or immediately call (909) 384-9233 to file a report.

B. The written report is to be addressed to the person to whom the telephone report was made.

C. The written report must follow the phone call within 36 hours.

1. Suspected child abuse within the family,
Agency: Children and Family Services
Address: 150 S. Lena Road, San Bernardino, California 92415

2. Suspected child abuse outside the family should be mailed to the agency to which the report was called -

Adopted: 10/2005
Highland Sheriff Police Department
Phone: (909)425-9793

The reporting party should keep the yellow copy of the Suspected Child Abuse Report form (SS8572) or verification of completion of the reporting obligation.

Caution:

1. The reporting responsibility has not been discharged until both the telephone call and written reports are complete.
2. School personnel are not to engage in any investigation of suspected cases. The investigation will be done by the child protective services office.
3. The reporting responsibility is an individual one which is NOT discharged by report to supervisors or administrators.

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

Disaster Plan (See Appendix C-F)

Each classroom, office, library and room on campus has a posting of the emergency procedures near the exit door. Emergency procedures are also posted in each classroom notebook which is reviewed at the beginning of the school year for updates. Fire drills are practiced each month of the school year. Earthquake drills are practiced four times a year and Lock Down drills are practiced yearly.

Public Agency Use of School Buildings for Emergency Shelters

(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines

Policy 5144.1: Suspension And Expulsion/Due Process

Suspension and Expulsion

The Governing Board recognizes that maintaining an environment which promotes learning and protects the health, safety, and welfare of all students may require the suspension or expulsion of a student from regular classroom instruction. District policies and school site rules shall clearly identify district behavior standards

(cf. 5144 - Discipline)

Except in cases where suspension for a first time offense is warranted in accordance with law, suspension shall be imposed only when other means of correction fail to bring about proper conduct. (Education Code 48900.5)

Expulsion is an action taken by the Board for severe or prolonged breaches of discipline by a student. Except for single acts of a grave nature, expulsion is usually used only when there is a history of misconduct, when other forms of discipline, including suspension, have failed to bring about proper conduct, or when the student's presence causes a continuing danger to other students. (Education Code 48915)

The grounds for suspension and expulsion and the procedures for considering, recommending and/or implementing suspension and expulsion shall be specified in Administrative Regulation.

Each principal shall annually inform all students and parents/guardians of the school's discipline rules and procedures and of the availability of all district policies and regulations dealing with student discipline, suspension and expulsion. (Education Code 35291, 35291.5)

(cf. 5145.6 - Parental Notifications)

Suspended or expelled students shall be excluded from all school-related extracurricular activities during the suspension or expulsion.

cf. 6145 - Extracurricular and Cocurricular Activities)

Zero Tolerance

The Board supports a zero tolerance approach to serious offenses in accordance with state and federal law. This approach makes the removal of potentially dangerous students from the classroom a top priority and ensures the standardized treatment of all students. Staff shall immediately report to the Superintendent/ designee any incidence of offenses specified in law, Board policy, and administrative regulation as cause for suspension or expulsion.

Student Due Process

The Board shall provide for the fair treatment of students facing suspension and expulsion by affording them their due process rights under the law. The administration and staff shall comply with procedures for notices and appeals as specified in regulation. Procedures governing student due process shall conform in all aspects to provisions in law. (Education Codes 48911, 48915 and 48915.5)

Whenever a student is suspended, school officials may (but are not required to) meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

cf. 5119 - Students Expelled from Other Districts

(cf. 5144.2 - Suspension and Expulsion/Due Process - Individuals with Exceptional Needs)

Rights of Complaining Witness

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

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

1. Receive five days' notice of his/her scheduled testimony at the hearing
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies
3. Have a closed hearing during the time he/she testifies

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

On-Campus Suspension Program

The Board recognizes that students who are suspended from school frequently have no supervision or guidance during the school hours when they are off campus. The Board believes that in many cases, instead of sending the student off campus, it would be better to address the student's misconduct by keeping the student at school and providing him/her with supervision that is separated from the regular classroom.

The Superintendent or designee shall examine alternatives to off-campus suspension and may establish a suspension program which involves progressive discipline during the school day on campus; using conferences between staff, parents/guardians and students; detention; student study teams or other assessment-related teams; and/or referral to school support services staff.

Required Parental Attendance

The Board believes that parental involvement plays an important role in the resolution of classroom behavior problems. The Board expects that teachers will communicate with parents/guardians when behavior problems arise

Whenever a student is suspended from a class because he/she committed an obscene act, engaged in habitual profanity or vulgarity, disrupted school activities or otherwise willfully defied valid staff authority, the teacher of the class from which the student was suspended may require the student's parent/guardian to attend a portion of a school day in that class. After completing the classroom visit and before leaving school premises, the parent/guardian also shall meet with the principal or designee. (Education Code 48900.1)

The Board encourages teachers, before requiring parental attendance, to make reasonable efforts to have the parent/guardian visit the class voluntarily. The teacher also may consider informing the parent/guardian about available resources which may provide help in the development of parenting skills. Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the student and the parent/guardian and to improve classroom behavior.

Parental attendance may be required on the day the student returns to class or within one week thereafter. The principal or designee shall contact any parents/guardians who do not respond to the request to attend school. The Board recognizes that parental compliance with this policy may be delayed, modified or prevented by serious illness/injury/disability, absence from town, or inability to get certain release time from work.

The teacher shall apply this policy uniformly to all students within the classroom. This policy shall apply only to a parent/guardian who actually lives with the student. (Education Code 48900.1)

District regulations and school-site rules for student discipline shall include procedures for implementing parental attendance requirements.

Parents/guardians shall be notified of this policy before it is implemented and at the beginning of each subsequent school year. (Education Code 48900.1, 35291, 48980)

Decision Not to Enforce Expulsion Order

In cases where expulsion is mandatory pursuant to Education Code 48915(c), the enforcement of an expulsion order shall not be suspended by the Board. In all other cases of expulsion, the order for expulsion may be suspended by the Board, on a case-by-case basis, pursuant to the requirements of law.

Definitions

Suspension from school means removal of a student from on going 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, nor referral to a certificated employee designated by the principal to advise students, nor removal from the class without reassignment to another class or program for the remainder of the period, without sending the student to the principal or designee.

2. Removal from a particular class shall not occur more than once every five school days. (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)

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

School property, for the purposes described in Education Code 48900, includes, but is not limited to, electronic files and databases. (Education Code 48900(s))

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, suspension and expulsion. Transfer students and their parents/guardians shall be notified at the time of enrollment. (Education Code 35291.5, 48900.1, 48980)

(cf. 5144 -Discipline)

(cf. 5145.6 Parental Notifications)

Notification shall include information about the ongoing availability of individual school rules and all district policies and regulations pertaining to student discipline. (Education Code 35291)

(cf. 5145.6 -Parental Notifications)

Grounds for Suspension and Expulsion

Students may be suspended or recommended for expulsion when the Superintendent, principal, or principal's designee at the school in which the student is enrolled determines that the student has done any of the acts listed below:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense. (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However, a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code Board Policy Manual Redlands Unified School District 48900(s))

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

(cf. 5 131 - Conduct)

(cf. 5131. 7 - Weapons and Dangerous Instruments)

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

(cf. 5131.6 -Alcohol and Other Drugs)

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

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

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

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

8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products with prior approval of the principal or designee. (Education Code 48900(h))

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

10. Unlawfully possessed, or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code. (Education Code 48900(j))

11. Disrupted school activities or otherwise willfully defied 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))

12. Knowingly received stolen school property or private property. (Education Code 48900(1))
13. Possessed an imitation firearm, i.e., 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))
14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code 243.4. (Education Code 48900(n))
15. 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))
16. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug soma. (Education Code 48900(p))
17. Engaged in, or attempted to engage in, hazing as defined in Education Code 32050. (Education Code 48900(q))
18. Made terrorist threats against school officials and/or school property. (Education Code 48900.7)

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

19. Committed sexual harassment as defined in Education Code 212.5. (Education Code 48900.2)
20. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 33032.5. (Education Code 48900.3)
21. 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 Glasswork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment (Education Code 48900.4)

(cf. 5145.3 -Nondiscrimination/Harassment)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent/principal or within any other school district, including but not limited to the following circumstances:

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.

The Superintendent/principal may use his/her discretion to provide alternatives to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program. (Education Code 48900(r))

cf. 5138 -Conflict Resolution/Peer Mediation)

Alternatives to suspension or expulsion will be used against students who are truant, tardy, or otherwise absent from assigned school activities.

(cf. 5113 -Absences and Excuses)

(cf. 5113.1 - Truancy)

Suspension from Class by a Teacher/Parental Attendance

A teacher may suspend any student from the teacher's class for any of the acts listed under "Grounds for Suspension and Expulsion" above for the day of the suspension and the day following. (Education Code 48910)

Suspension from class means the removal of a student from class by a teacher for the day of the suspension and the next day. A teacher may suspend a student from class and may also refer a student for consideration of suspension from school for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

When suspending a student from his/her class, the teacher shall immediately report this action to the principal and send the student to the principal for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been suspended.

As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the suspension. A counselor or psychologist should attend the conference if it is practicable, and a school administrator may attend if either the parent/guardian or teacher so request.

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

A student suspended from class shall not be placed in another regular class during the period of suspension. However, if a student is assigned to more than one class per day, he/she may be placed in any 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 suspended student to complete any assignments and tests missed during the suspension. (Education Code 48913)

When a teacher requires a parent/guardian to attend school in accordance with Board Policy, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is required pursuant to law. (Education Code 48900.1)

1. This notice shall also tell the parent/guardian when his/her presence is expected and by what means he/she may arrange any necessary change.
2. The notice shall describe the protections afforded to the parent/guardian as an employee by Labor Code 230.7.
3. The notice shall state that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student.

The teacher shall remind the parent/guardian to meet with the principal or designee after completing the classroom visit and before leaving school premises.

Suspension By Superintendent, Principal Or Principal's Designee

A Superintendent, principal, or principal's designee may suspend a student from a school for any of the acts listed under "Grounds for Suspension and Expulsion" above for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

The Superintendent or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife, as defined in Education Code 48915(g), at another person.

3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.

4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item 414 under "Grounds for Suspension and Expulsion" above.

5. Possession of an explosive as defined in 18 USC 921.

Suspension may be imposed upon a first offense if the Superintendent, principal or designee determines the student violated items (i) - (v) listed in "Grounds For Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903 and 48912)

Suspension Procedures

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the principal or designee or the Superintendent or designee between 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 and the evidence against him/her and shall be given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911(b))

This conference may be omitted if the principal, designee or the Superintendent or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or school personnel. If the pre-suspension conference is not held, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference will be held as soon as the student is physically able to return to school. (Education Code 48911(c))

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior

A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee, who in turn will inform the Board.

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 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 also state the date and time when the student may return to school.

Should school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may also add that state law requires the parent/guardian to respond to such request without delay.

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

While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such conference. The student may not be denied readmission solely because the parent/guardian failed to attend. (Education Code 48911)

5. Extension of Suspension: If the expulsion of a suspended student is being considered by the Board, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision. (Education Code 48911(g))

Any extension of the original period of suspension shall be 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. Extension of the suspension may be made only if 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(g))

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal or Principal's 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 if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. 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 may hold closed sessions if a public hearing would lead to disclosure of information which would violate a student's right to privacy under Education Code 49073-49079.

(cf. 9321 -Closed Session Purposes and Agendas)

The Board shall provide the student with written notice of the closed session by registered or certified mail. Upon receiving this notice the student 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 shall be in closed session. (Education Codes 48912)

Authority to Expel

A student may be expelled only by the Board. The Board shall expel, as required by law, any student found to have committed certain offenses listed below under "Mandatory Recommendation and Mandatory Expulsion."

The Board may also order a student expelled for any of the acts listed above under "Grounds for Suspension and Expulsion" upon recommendation by the principal, Superintendent, hearing officer or administrative panel, based on finding either or both of the following: (Education Code 48915(b) and (e))

1. That other means of correction are not feasible
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

Mandatory Recommendation For Expulsion

The principal, Superintendent or designee shall recommend a student's expulsion for any of the following acts, unless the principal or Superintendent or designee finds, and reports in writing to the Board, that expulsion is inappropriate due to particular circumstances which shall be set out in the report of the incident:

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife as defined in Education Code 48915(g), explosive 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 the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee.

Mandatory Recommendation And Mandatory Expulsion

The principal, Superintendent or designee shall recommend that the Board expel any student found at school or at a school activity off school grounds to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48915(c).1)
2. Brandishing a knife as defined in Education Code 48915(g) at another person. (Education Code 48915(c).2)
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058. (Education Code 48915(c).3)
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above. (Education Code 48915(c).4)
5. Possessing an explosive as defined in 18 USC 921.

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

Student's Right to Expulsion Hearing

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred. (Education Code 48918(a))

The student is entitled to 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 district's discretion. (Education Code 48918(a))

If the district finds it impracticable 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))

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

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 48915.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Education Code 48915.5)

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

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

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48915.5)

Written Notice of the Expulsion Hearing

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least ten 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. A parent/guardian of a student expelled for acts described in paragraphs through 4 of Education Code 48915(a), seeks enrollment in another district they must inform the new district of the students status with the expelling district, pursuant to Education Code 48915.1.

(cf. 5119 -Students Expelled from Other Districts)

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

Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and Education Code 35145, the Board shall conduct the hearing or arrange for an alternative 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 request is made, the meeting shall be public

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to deliberate and determine if the student should be expelled. If the Board admits any other person to the closed session, the parent/guardian, the student, counsel of the student and counsel of the parent/guardian shall also be allowed to attend the closed session. (Education Code 48918(c))

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

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

3. Presentation of Evidence: While technical rules of evidence do not apply to such hearings, 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 must be supported by substantial evidence that the student committed any of the above acts listed under "Grounds for Suspension and Expulsion" above. Findings of fact shall be based solely on the evidence at the hearing.

While no evidence 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) and

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 Witness: The following procedures shall be observed when hearings involve allegations of sexual assault or sexual battery by a student: (Education Code 48918)

- a. Any complaining witness shall be given five days' notice before being called to testify.
- b. Any complaining witness shall be entitled to have up to two adult support persons, including but not limited to a parent/guardian or legal counsel, present during his/her testimony.
- c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- e. If one or both support persons are also witnesses, the hearing shall be conducted according to Penal Code 868.5.
- f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard.

Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.

g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.

(1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.

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

(3) The person conducting the hearing may:

- (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness.
- (b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
- (c) Permit one of the support persons to accompany the complaining witness to the witness stand.

6. Decision Within Ten Days: The Board's decision on whether to expel a student shall be made within ten school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

7. Decision Within 40 Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative 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. Alternatively, the Board may 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(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified in "Conduct of Expulsion Hearing" above.

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 student shall be immediately reinstated. (See "Reinstatement" below.) The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers and with the student's parent/guardian. (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))

The hearing officer or administrative panel may recommend that the Board suspend the expulsion for a period of one year. (See "Suspension of Expulsion" below.)

The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Stipulated Expulsions

It is the policy of the Redlands Unified School District that, where approved by the Superintendent or designee, parents/guardians may agree to the expulsion of their pupil by stipulation without necessity of a hearing. This process will expedite the pupil's school placement and may expedite the rehabilitation process.

A stipulated expulsion must be purely voluntary. No district administrator or staff member may coerce a pupil, parent or guardian into entering into such a stipulation. Parents/guardians will be given three calendar days to decide on a stipulated expulsion agreement.

If the parent/guardian requests a stipulated expulsion, the Superintendent or designee will promulgate the stipulated agreement. If at any time the parent/guardian decides not to pursue a stipulated agreement, the expulsion proceedings and timelines, extended by the length of the period for consideration of the stipulation, will be reinstated. The stipulated agreement will be presented to the Board for final consideration.

The stipulated agreement will include the terms and conditions of the expulsion order, including alternative placement and a rehabilitation plan to be completed before the student can be re-admitted to the district.

Final Action by the Board

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel, the final action to expel must be taken by the Board at a public meeting. (Education Code 48918(f)) The Board shall maintain a record of each expulsion, including its cause. Expulsion records shall be non-privileged, disclosable public records.

(cf. 9321.1 - Closed Session Actions and Reports)

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

Upon ordering the 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 an act listed under "Mandatory Recommendation and Mandatory Expulsion" above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. (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 of the student at the time of review for readmission.
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service and other rehabilitative programs.
3. Such other recommendations as the Board approves.

With parental 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)

Upon expulsion, a copy of readmission procedures will be made available to the student and his/her parent/guardian.

Written Notice to Expel

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

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed in Education Code 48900(a)-(o), Education Code 48900.2-48900.4 and Education Code 48915(c). (Education Code 48900.8)
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian. (Education Code 48916)
3. Notice of the right to appeal such expulsion to the County Board of Education. (Education Code 48918)
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion. (Education Code 48918)
5. The notice also shall inform the student or parent/guardian of his/her 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)

Suspension of Expulsion

The Board, upon voting to expel a student, may suspend the enforcement of the expulsion order for not more than one calendar year. When deciding whether to suspend an expulsion, the Board shall take into account the following criteria:

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

The suspension of the enforcement of an expulsion shall be governed by the following: (Education Code 48917)

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.
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status.
3. The suspension of expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion" above or violates any of the district's rules and regulations governing student conduct.
4. When suspension of expulsion order is revoked, a student may be expelled under the terms of the original expulsion order
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expungement of any or all records of the expulsion proceedings.
6. Suspension 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 of Education.
7. 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 also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education. (Education Code 48918(i))

Right to Appeal

The student or parent/guardian is entitled to file an appeal of the Board's decision to the County Board of Education.

The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion action is suspended and the student is placed on probation. (Education Code 48919)

Post-Expulsion Placements

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

(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for acts described in items #6 through # 13 and # 17 through # 19 under "Grounds for Suspension and Expulsion" above may be instead referred to a program of study that is provided at another comprehensive middle, junior, or senior high school, or at an elementary school.

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)

Reinstatement

When the Board accepts a recommendation against expulsion or makes its own decision after the hearing not to expel, the decision is final and the student shall be reinstated immediately. The Superintendent or designee shall place the student in any classroom program, other instructional program, rehabilitation program, or any combination of such programs following consultation with district personnel, including the teacher involved, and with the student's parent/guardian. (Education Code 48918(e))

Readmission

An expulsion order shall remain in effect until the Board may order the readmission of the student.

Readmission procedures shall be as follows:

1. A written request for review of expulsion action and request for readmission shall be submitted by the parent/guardian to the Superintendent or designee.
2. The Superintendent or designee will hold a conference with the parent/guardian and the student.
3. At the conference the conditions for readmission will be reviewed. The Superintendent or designee shall verify that the rehabilitation plan has been met.
4. School regulations will be reviewed and the student and parent/guardian will be asked to indicate in writing their willingness to comply with these regulations.
5. The Superintendent or designee will transmit the request for readmission to the Board, along with his/her recommendation. The Board shall consider the request in closed session if the information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it will be honored.
6. The Superintendent or designee will notify the student or parent/guardian, by registered mail, of the district's decision regarding readmission.
7. 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)
8. 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. (Education Code 48916)
9. 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)

Maintenance of Records

The Board will maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls, within five days of a written request by the admitting school. (Education Code 48900.8, 48918(k))

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

cf. 5119 - Students Expelled from Other Districts)

(cf. 5125 - Student Records)

Notifications and Reports

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

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 also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

Outcome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion.
2. The specific grounds for each recommended expulsion.
3. Whether the student was subsequently expelled.
4. Whether the expulsion order was suspended.
5. The type of referral made after the expulsion.
6. The disposition of the student after the end of the expulsion period.

Suspension and Expulsion/Due Process

Redlands Unified
Administrative Regulation
AR 51441
Adopted June 27, 1995
Students

Definitions

Suspension from school 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. Removal from a particular class shall not occur more than once every five school days.

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

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian or legal counsel. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

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, suspension and expulsion. Transfer students and their parents/guardians shall be notified at the time of enrollment. (Education Code 35291.5, 48900.1, 48980)
(cf. 5144 - Discipline)

Notification shall include information about the ongoing availability of individual school rules and all district policies and regulations pertaining to student discipline. (Education Code 35291)
(cf. 5145.6 - Parental Notifications)

Grounds for Suspension and Expulsion

A student may be subject to suspension or expulsion when it is determined that he/she:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense. (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aide or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code 48900(s))

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

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

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

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

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

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

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

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

10. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5. (Education Code 48900(j))

11. Disrupted school activities or otherwise willfully defied 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))

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

13. Possessed an imitation firearm, i.e., 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))

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

15. 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))

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

Pursuant to Education Code 48900.7, the making of a terrorist threat includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person or property damage in excess of \$1,000.00, 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.

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

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

Pursuant to Education Code 48900.2 the conduct constitutes harassment when considered from the perspective of a reasonable person of the same gender as the victim to be 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.

(cf. 5145.7 - Sexual Harassment)

18. 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)

(cf. 5145.9 - Hate-Motivated Behavior)

Education Code 233 defines "hate violence" as any act punishable under Penal Code 422.6, 442.7 or 422.75. Such acts include injuring or intimidating another person, interfering with the exercise of a person's civil rights, or damaging a person's property because of the person's race, color, religion, ancestry, national origin, disability, gender or sexual orientation.

19. Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading student rights by creating an intimidating or hostile educational environment. (Education Code 48900.4)

(cf. 5145.3 - Nondiscrimination/Harassment)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent or principal or within any other school district, including but not limited to the following circumstances: (Education Code 48900)

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.

The Superintendent or principal may use his/her discretion to provide alternative to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program. (Education Code 48900(r))

Alternatives to suspension or expulsion will be used with students who are truant, tardy, or otherwise absent from assigned school activities.

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Truancy)

Removal from Class by a Teacher/Parental Attendance

A teacher may suspend any student from his/her class for the remainder of the day and the following day for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

A teacher also may refer a student to the principal or designee for consideration of suspension from school. (Education Code 48910)

When removing a student from his/her class, the teacher shall immediately report this action to the principal and send the student to the principal for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been removed.

As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the removal. A counselor or psychologist should attend the conference if it is practicable, and a school administrator may attend if either the parent/guardian or teacher so requests.

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

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

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

Pursuant to Board policy, a teacher may provide that the parent/guardian of a student whom the teacher has removed attend a portion of a school day in his/her child's classroom. When a teacher makes this request, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is requested pursuant to law. (Education Code 48900.1)

This notice shall also:

1. Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternate date.
2. Describe the legal protections afforded to the parent/guardian as an employee under Labor Code 230.7.
3. State that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student.
4. Ask the parent/guardian to meet with the principal after the visit and before leaving school, as required by Education Code 48900.1.

Suspension by Superintendent, Principal or Principal's Designee

The Superintendent, principal or principal's designee may suspend a student from a school for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

The Superintendent or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife, as defined in Education Code 48915(g), at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion".
5. Possession of an explosive as defined in 18 USC 921.

Suspension also may be imposed upon a first offense if the Superintendent, principal or designee determines the student violated items #1-5 listed in "Grounds for Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903, 48912)

The Superintendent or designee may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which a student may be suspended in any school year. (Education Code 48903)

Suspensions shall be initiated according to the following procedures:

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the principal, designee or the Superintendent 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 and the evidence against him/her; the student shall be given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911(b))

This conference may be omitted if the principal, designee or the Superintendent determines that an emergency situation exists. An "emergency situation" involves 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 a conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference will be held as soon as the student is physically able to return to school. (Education Code 48911(c))

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee.

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 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 also state the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may add that state law requires the parent/guardian to respond to such requests without delay.

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

While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such conference. The student may not be denied readmission solely because the parent/guardian failed to attend. (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. (Education Code 48911(g))

Any extension of the original period of suspension shall be 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. Extension of the suspension may be made only if 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)

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal or Principal's 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 if any of the acts listed in “Grounds for Suspension and Expulsion” occurred. 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 closed sessions if a public hearing would lead to disclosure of information violating a student’s right privacy under Education Code 49073-49079.

(cf. 9321 - Closed Session Purposes and Agendas)

The Board shall provide the student and his/her parent/guardian with written notice of the closed session by or certified mail. 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 Codes 35146, 48912)

On-Campus Suspension Program

Students for whom an expulsion action has not been initiated and who pose no imminent danger or threat to the school may be assigned to a separate, supervised suspension classroom for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

1. The supervised suspension classroom shall be staffed in accordance with law.
2. The student shall have access to appropriate counseling services.
3. The supervised suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.
4. Each student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom. The teacher 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 a supervised 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 shall be made in writing. (Education Code 48911.1)

Authority to Expel

A student may be expelled only by the Board. The Board shall expel, as required by law, any student found to have committed certain offenses listed below under “Mandatory Recommendation and Mandatory Expulsion.”

The Board also may order a student expelled for any of the acts listed under “Grounds for Suspension and Expulsion” upon recommendation by the principal, Superintendent, hearing officer or administrative panel, based on finding 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.

Mandatory Recommendation for Expulsion

Unless the principal, Superintendent or designee finds that expulsion is inappropriate due to particular circumstances, the principal, Superintendent or designee shall recommend a student’s expulsion for any of the following acts: (Education Code 48915 (a))

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife as defined in Education Code 48915(g), explosive or other dangerous object of no reasonable use to the student.
3. Unlawful possession of any controlled substance, as listed in the Health and Safety Code 11053-11058, except for the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee.

Mandatory Recommendation and Mandatory Expulsion

Note: The Attorney General has determined, in 80 Ops.Cal. Atty. Gen. 347 (1997), that a district may not adopt a zero tolerance policy mandating expulsion of a student for a first offense of possession of a controlled substance or alcohol.

The principal, Superintendent or designee shall recommend that the Board expel any student found at school or at a school activity to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife as defined in Education Code 48915(g) at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above.
5. Possessing an explosive as defined in 18 USC 921.

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

The initial recommendation for consideration of expulsion is that of the school principal or the Superintendent. Designees may not make this type of recommendation.

The recommendation for consideration of expulsion shall be submitted to the Director, Office of Student Services, who will review the material and recommend:

1. Reassignment to appropriate regular education program.
2. Refer student to Alternative Program; i.e., Community School, Independent Study, Continuation or Opportunity School, or other district programs.
3. Refer the matter to the Discipline Review Panel for further consideration.

When a case is referred to the discipline Review Panel, the panel shall question school personnel who have information on the incident and the behavior record of the student charged and weighs the evidence presented.

The panel shall, in the case of an expulsion consideration, weigh information presented to determine:

- a. Is the evidence sufficient to support consideration by the expulsion panel?
- b. Has the district, through the schools involved, considered or utilized alternatives to expulsion when possible?
- c. Have due process procedures been adhered to?

The recommendation shall be either to proceed with the expulsion or to utilize an existing practical alternative in lieu of expulsion.

If the district (school) has not adhered to due process requirements, the student shall be returned to school immediately.

If the Discipline Review Panel meets to consider a matter other than an expulsion, it shall provide its best judgment as to an effective alternative program or plan to action.

The recommendation of the Discipline Review Panel shall be forwarded to the Director, Office of Student Services, who shall then review the facts, concur, veto or modify the recommendation.

4. That an expulsion panel be convened.

At the time a recommendation for expulsion is submitted, a hearing shall be scheduled by the Superintendent or designee to determine whether the suspension shall be extended. If the decision is to extend the suspension, the period of time shall be until the Board has rendered a decision or until the expulsion process is otherwise terminated.

The extension of suspension shall be based upon determination by the Superintendent or designee that the presence of the student at the school or in an alternative school placement would cause a danger to persons or property or a threat of disrupting the instructional process. This extension shall be imposed only after the student and the parent/guardian have been given the opportunity to be present at a hearing conducted by the Superintendent or designee. At this time, the student and parent/guardian shall be given the opportunity to be heard and present any information that might bear upon the decision.

Materials which support the decision of the person recommending the expulsion shall be prepared and submitted to the Office of Student Services. The departments of Attendance, Guidance, Special Education and/or Health may be requested to assist in the preparation of this material.

Student's Right to Expulsion Hearing

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred. (Education Code 48918 (a))

The student is entitled to 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 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 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 no 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))

Waiver of Hearing (Default Proceedings)

If the parent/guardian agrees that their son/daughter behaved essentially in the manner stated in the principals letter recommending expulsion and that such behavior constitutes a violation of the California Education Code, Section 48900, 48900.2, 48900.3, 48900.4, 48900.7 and/or 48915 a suspendable/expellable offense, the parent/guardian may request to waive the Administrative Hearing Panel.

When the parent/guardian agrees to waive the Administrative Hearing Panel, they also waive all notification and timelines related to the expulsion hearing process, along with their rights to appeal the determination of the Board.

The signed affidavit and findings of fact will be submitted to the Board for their approval. The Board has the discretionary power to accept, reject, or modify all recommendations.

Rights of Complaining Witness

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

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

1. Receive five days' notice of his/her scheduled testimony at the hearing.
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies.
3. Have a closed hearing during the time he/she testifies.

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

Written Notice of the Expulsion Hearing (Education Code 48918(b))

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

1. The date and place of the hearing.
2. A statement of the specific facts, charges and offense upon which the proposed expulsion is based.
3. A copy of district disciplinary rules which relate to the alleged violation.
4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment. This obligation applies when a student is expelled for acts other than those described in Education Code 48915 (a) or (c).
(cf. 5119 - Students Expelled from other Districts)

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

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

Non-attorney advisor 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.

Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and 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 request is made, the meeting shall be public, unless another student's privacy rights would be violated.

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to determine if the student should be expelled. If the Board admits any other person to the closed session, the parent/guardian, the student, and the counsel of the student, shall also be allowed to attend the closed session. (Education Code 48918(c))

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

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

3. Subpoenas: Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with the Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20, formerly 11525. (Education Code 48918(i))

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

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

4. Presentation of Evidence: While technical rules of evidence do not apply to expulsion hearings, 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 must be supported by substantial evidence that the student committed any of the acts listed in "Grounds for Suspension and Expulsion" above.

Findings of fact shall be based solely on the evidence at the hearing. While no evidence 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) and (h))

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

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

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

6. Decision Within 10 Days: The Board's decision on whether to expel a student shall be made within 10 school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

7. Decision Within 40 Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

Instead of conducting an expulsion hearing itself, the Board may contract with the county hearing officer or with the Office of Administrative Hearings of the State of California for a hearing officer. Alternatively, the Board may 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(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified in "Conduct of Expulsion Hearing."

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 student shall be immediately reinstated. (See "Reinstatement.") The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers, and with the student's parent/guardian. (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 for a period of one year. (See "Decision Not to Enforce Expulsion Order" below.)

The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

The Discipline Review Panel

The Discipline Review Panel will consist of elementary educators when a review is being made of an elementary student and of secondary educators when a review is being made of secondary student.

1. The Discipline Review Panel shall hear the following types of disciplinary cases:
 - a. Requests for expulsion from site principals or the Superintendent.
 - b. School site administrative requests for assistance (non-expulsion situations).
2. Each discipline review panel shall consist of three certificated persons plus a chairperson and shall consist of elementary educators when a review is being made of an elementary student and of secondary educators when a review is being made of a secondary student. A panelist may not serve on any panel involving a student who is currently attending the school in which he/she is assigned. A representative from Student Services shall be a nonvoting member of each panel.

A chairperson and assistant chairperson, to serve when the chairperson is unable to serve, shall be appointed by the Superintendent or designee and shall serve at his/her pleasure. Neither shall be a member of the Student Services staff.

A pool of panelists shall be established which shall be composed of personnel who have served or are currently serving as members of administrative expulsion panels. The committee chairman shall select members to serve on individual panels.

The meetings of the discipline review panel are open to school district personnel only.

The duties of the Discipline Review Panel are as follows:

1. The chairperson shall call a meeting of the panel as soon as possible, but no later than 10 school days after the receipt of notice of a pending case.
2. A recommendation must be forwarded to the Director, Office of Student Services, within three days of the review hearing.
3. In the event a member of the committee cannot be present at a meeting, the Director, Office of Student Services, will appoint an alternate from the pool to attend.

Final Action by the Board

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

(cf. 9321.1 - Closed Session Actions and Reports)

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

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 an act listed under “Mandatory Recommendation and Mandatory Expulsion” above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. (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 of the student at the time of review for readmission.
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service and other rehabilitative programs.

With parental 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 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 in Education Code 48900 (a)-(o), Education Code 48900.2-48900.4, Education Code 48915 (c) and (Education Code 48900.8).
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian. (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Governing Board. (Education Code 48918)
4. Notice of the alternative educational placements 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 Not to Enforce Expulsion Order

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

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

The suspension of the enforcement of an expulsion shall be governed by the following: (Education Code 48917)

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.
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status.
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” above or violates any of the district’s rules and regulations governing student conduct.
4. When the suspension of the enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order.
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings.
6. 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 County Board of Education.

7. 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 also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education. (Education Code 48918 (j))

Right to Appeal

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

Post-Expulsion Placements

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

(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for acts described in items #6 through #13 and #17 through #19 under "Grounds for Suspension and Expulsion" may be instead 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

Readmission procedures shall be as follows:

1. On the date set by the Board when it ordered the expulsion, the district shall consider readmission of the student. (Education Code 48916)
2. 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.
3. The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session if information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it shall be honored.
4. 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.
5. 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)
6. 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. (Education Code 48916)
7. 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)

Maintenance of Records

The Board shall maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls, within five days of a written request by the admitting school. (Education Code 48900.8, 48918(k))

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

(cf. 5119 - Students Expelled from Other Districts)

(cf. 5125 - Student Records)

Notifications 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 also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

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

Ouome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion.
2. The grounds for each recommended expulsion.
3. Whether the student was subsequently expelled.
4. Whether the expulsion order was suspended.
5. The type of referral made after the expulsion.
6. The disposition of the student after the end of the expulsion period.

Regulation: REDLANDS UNIFIED SCHOOL DISTRICT

Approved: June 27, 1995, Redlands, California

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

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

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

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

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

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

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

Policy 4119.11: Sex Discrimination and Sex-Based Harassment

The Governing Board is committed to providing a safe work environment that is free of harassment and intimidation. The Board prohibits sexual harassment against district employees by anyone, in any manner, and prohibits retaliatory action or behavior against any persons who complains, testifies, or otherwise participates in the complaint process established pursuant to this policy and accompanying administrative regulation. This policy shall apply to all district employees, interns, volunteers, contractors, job applicants, and other persons with an employment relationship with the district.

(cf. 0410 - Nondiscrimination in District Programs and Activities) (cf. 4030 - Nondiscrimination in Employment)

Sexual harassment includes, but is not limited to, harassment that is based on the sex, gender, gender identity, gender expression, or sexual orientation of the victim and harassment based on pregnancy, childbirth, or related medical conditions.

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation, and correction of sexual harassment, including but not limited to:

1. Providing training to all staff in accordance with law and administrative regulation.
2. Publicizing and disseminating the district's sexual harassment policy to staff.
3. Ensuring prompt, thorough, equitable, and fair investigation of complaints
4. Taking timely and appropriate corrective/remedial actions which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments.

The Superintendent or designee shall periodically evaluate the effectiveness of the district's strategies to prevent and address harassment. Such evaluation may involve conducting regular anonymous employee surveys to assess whether harassment is occurring or is perceived to be tolerated, partnering with researchers or other agencies with the needed expertise to evaluate the district's prevention strategies, and using any other effective tool for receiving feedback on systems and/or processes. As necessary, changes shall be made to the harassment policy, complaint procedures, or training.

Sexual Harassment Reports and Complaints

Any district employee who feels that he/she has been sexually harassed in the performance of their district responsibilities or who has knowledge of any incident of sexual harassment by or against another employee shall immediately report the incident to his/her supervisor, the principal, other district administrator, or the district's Title IX Coordinator. However, an employee may bypass his/her supervisor in filing a complaint if the supervisor is the subject of the complaint. A supervisor, principal, or district administrator who receives a harassment complaint shall promptly notify the Title IX Coordinator.

Once notified, the Title IX Coordinator shall ensure the complaint or allegation is addressed through AR 4119.12/4219.12/4319.12 – Title IX Sexual Harassment Complaint Procedures or AR 4030- Nondiscrimination in Employment, as applicable. Because a complaint or allegation that is dismissed or denied under the Title IX complaint procedure may still be subject to consideration under state law, the Title IX Coordinator shall ensure that any implementation of AR 4119.12/4219.12/4319.12 concurrently meets the requirements of AR 4030.

Notwithstanding the above, BP/AR 4119.12/4219.12/4319.12 and 4030 shall under no circumstances be used to resolve complaints brought by, on behalf of, or against students. All complaints brought by, on behalf of, or against students that allege “sexual harassment” as that term is defined in the federal regulations implementing Title IX of the Education Amendments of 1972 (see 34 C.F.R. § 106, et seq.) shall be investigated and resolved under BP/AR 5145.71. All complaints brought by, on behalf of, or against students that do not meet the definition of “sexual harassment” as set forth in the Title IX implementing regulations shall be investigated and resolved under BP/AR 1312.3.

(cf. 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaints)

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

Upon investigation of a sexual harassment complaint, any district employee who engages, or participates in sexual harassment, or who aids, abets, incites, compels, or coerces another to commit sexual harassment in violation of this policy is subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Reports) (cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4218 -

Dismissal/Suspension/Disciplinary Action)

Regulation 4119.12: Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures

The complaint procedures described in this administrative regulation shall be used to address any complaint governed by Title IX of the Education Amendments of 1972 alleging that a district employee, while in an education program or activity in which a district school exercises substantial control over the context and respondent, was subjected to one or more of the following forms of sexual harassment: (34 CFR 106.30, 106.44)

1. A district employee conditioning the provision of a district aid, benefit, or service on a person's participation in unwelcome sexual conduct
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291 (cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

All other sexual harassment complaints or allegations shall be investigated and resolved in accordance with AR 4030

- Nondiscrimination in Employment. The determination of whether the allegations meet the definition of sexual harassment under Title IX shall be made by the district's Title IX Coordinator.

(cf. 4030 - Nondiscrimination in Employment)

Because the complainant has a right to pursue a complaint under AR 4030 for any allegation that is dismissed or denied under the Title IX complaint procedure, the Title IX Coordinator shall ensure that all requirements and timelines for AR 4030 are concurrently met while implementing the Title IX procedure.

Reporting Allegations/Filing a Formal Complaint

An employee who is the alleged victim of sexual harassment may submit a report of sexual harassment to the district's Title IX Coordinator using the contact information listed in AR 4119.11/4219.11/4319.11 - Sexual Harassment or to the employee's direct supervisor or other district administrator, who shall forward the report to the Title IX Coordinator within one day of receiving the report. Upon receiving such a report, the Title IX Coordinator shall inform the complainant of the right to file a formal complaint and the process for filing a formal complaint.

A formal complaint, with the complainant's physical or digital signature, may be filed with the Title IX Coordinator in person, by mail, by email, or by any other method authorized by the district. (34 CFR 106.30)

Even if the alleged victim chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations when a safety threat exists. In addition, the Title IX Coordinator may file a formal complaint in other situations as permitted under the Title IX regulations, including as part of the district's obligation to not be deliberately indifferent to known allegations of sexual harassment. In such cases, the Title IX Coordinator shall provide the alleged victim notices as required by the Title IX regulations at specific points in the complaint process.

The Title IX Coordinator, investigator, decision-maker, or a facilitator of an informal resolution process shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. Such persons shall receive training in accordance with 34 CFR 106.45. (34 CFR 106.45)

Supportive Measures

Upon receipt of a report of Title IX sexual harassment, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures and shall consider the complainant's wishes with respect to the supportive measures implemented. Supportive measures shall be offered as appropriate, as reasonably available, and without charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures shall be nondisciplinary, nonpunitive, and not unreasonably burden the other party, including measures designed to protect the safety of all parties or the district's educational environment or to deter sexual harassment. Supportive measures may include, but are not limited to, counseling, extensions of deadlines, modifications of work schedules, mutual restrictions on contact, changes in work locations, leaves of absence, increased security, and monitoring of certain areas of the campus. (34 CFR 106.30, 106.44)

The district shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the district's ability to provide the supportive measures. (34 CFR 106.30)

Emergency Removal

If a district employee is the respondent, the employee may be placed on administrative leave during the pendency of the formal complaint process. (34 CFR 106.44)

If the respondent is a student, the district may, on an emergency basis, remove the student from the district's education program or activity, provided that the district conducts an individualized safety and risk analysis, determines that removal is justified due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations, and provides the student with notice and an opportunity to challenge the decision immediately following the removal. This authority to remove a student does not modify a student's rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973. (34 CFR 106.44)

Dismissal of Complaint

The Title IX Coordinator shall dismiss a formal complaint if the alleged conduct would not constitute sexual harassment as defined in

34 CFR 106.30 even if proved. The Title IX Coordinator shall also dismiss any complaint in which the alleged conduct did not occur in the district's education program or activity or did not occur against a person in the United States, and may dismiss a formal complaint if the complainant notifies the district in writing that the complainant would like to withdraw the complaint or any allegations in the complaint, the respondent is no longer employed by the district, or sufficient circumstances prevent the district from gathering evidence sufficient to reach a determination with regard to the complaint. (34 CFR 106.45)

Upon dismissal, the Title IX Coordinator shall promptly send written notice of the dismissal and the reasons for the dismissal simultaneously to the parties and shall inform them of their right to appeal the dismissal of a formal complaint or any allegation in the complaint in accordance with the appeal procedures described in the section "Appeals" below. (34 CFR 106.45)

If a complaint is dismissed, the conduct may still be addressed pursuant to AR 4030 - Nondiscrimination in Employment as applicable.

Informal Resolution Process

When a formal complaint of sexual harassment is filed, the district may offer an informal resolution process, such as mediation, at any time prior to reaching a determination regarding responsibility. The district shall not require a party to participate in the informal resolution process or to waive the right to an investigation and adjudication of a formal complaint. (34 CFR 106.45)

The district may facilitate an informal resolution process provided that the district: (34 CFR 106.45)

1. Provides the parties with written notice disclosing the allegations, the requirements of the informal resolution process, the right to withdraw from the informal process and resume the formal complaint process, and any consequences resulting from participating in the informal resolution process, including that records will be maintained or could be shared.
2. Obtains the parties' voluntary, written consent to the informal resolution process

Written Notice

If a formal complaint is filed, the Title IX Coordinator shall provide the known parties with written notice of the following: (34 CFR 106.45)

1. The district's complaint process, including any informal resolution process
2. The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known. Such notice shall be provided with sufficient time for the parties to prepare a response before any initial interview. If, during the course of the investigation, new Title IX allegations arise about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.
3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process
4. The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an attorney, and the ability to inspect and review evidence
5. The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process

The above notice shall also include the name of the investigator, facilitator of an informal process, and decision-maker and shall inform the parties that, if at any time a party has concerns regarding conflict of interest or bias regarding any of these persons, the party should immediately notify the Title IX Coordinator.

Investigation Procedures

During the investigation process, the district's designated investigator shall: (34 CFR 106.45)

1. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and

exculpatory evidence

2. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence
3. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney
4. Not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding, although the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as the restrictions apply equally to both parties
5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate
6. Send in an electronic format or hard copy to both parties and their advisors, if any, the evidence obtained as part of the investigation that is directly related to the allegations raised in the complaint, and provide the parties at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report
7. Objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and determine credibility in a manner that is not based on a person's status as a complainant, respondent, or witness
8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review and written response

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. (34 CFR 106.45)

Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.

If the complaint is against an employee, rights conferred under an applicable collective bargaining agreement shall be applied to the extent they do not conflict with the Title IX requirements.

Written Decision

The Superintendent shall designate an employee as the decision-maker to determine responsibility for the alleged conduct, who shall not be the Title IX Coordinator or a person involved in the investigation of the matter. (34 CFR 106.45)

After the investigative report has been sent to the parties but before reaching a determination regarding responsibility, the decision-maker shall afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party.

The decision-maker shall issue, and simultaneously provide to both parties, a written decision as to whether the respondent is responsible for the alleged conduct. (34 CFR 106.45)

The written decision shall be issued within 60 calendar days of the receipt of the complaint.

The timeline may be temporarily extended for good cause with written notice to the complainant and respondent of the extension and the reasons for the action. (34 CFR 106.45)

In making this determination, the decision-maker shall use the "preponderance of the evidence" standard for all formal complaints of sexual harassment. (34 CFR 106.45)

The written decision shall include the following: (34 CFR 106.45)

1. Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR 106.30

2. A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the district includes hearings as part of the grievance process
3. Findings of fact supporting the determination
4. Conclusions regarding the application of the district's code of conduct or policies to the facts
5. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's educational program or activity will be provided by the district to the complainant
6. The district's procedures and permissible bases for the complainant and respondent to appeal

Appeals

Either party may appeal the district's decision or dismissal of a formal complaint or any allegation in the complaint, if the party believes that a procedural irregularity affected the outcome, new evidence is available that could affect the outcome, or a conflict of interest or bias by the Title IX Coordinator, investigator(s), or decision-maker(s) affected the outcome. If an appeal is filed, the district shall: (34 CFR 106.45)

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties
2. Ensure that the decision-maker(s) for the appeal is trained in accordance with 34 CFR 106.45 and is not the same decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator
3. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome
4. Issue a written decision describing the result of the appeal and the rationale for the result
5. Provide the written decision simultaneously to both parties

An appeal must be filed in writing within 10 calendar days of receiving the notice of the decision or dismissal, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered.

A written decision shall be provided to the parties within 20 calendar days from the receipt of the appeal.

Either party has the right to file a complaint with the U.S. Department of Education's Office for Civil Rights within 180 days of the date of the most recently alleged misconduct.

The complainant shall be advised of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal antidiscrimination laws, if applicable.

Remedies

When a determination of responsibility for sexual harassment has been made against the respondent, the district shall provide remedies to the complainant. Such remedies may include the same individualized services described above in the section "Supportive Measures," but need not be nondisciplinary or nonpunitive and need not avoid burdening the respondent. (34 CFR 106.45)

Disciplinary Actions

The district shall not impose any disciplinary sanctions or other actions against a respondent, other than supportive measures as described above in the section "Supportive Measures," until the complaint procedure has been completed and a determination of responsibility has been made. (34 CFR 106.44)

When an employee is found to have committed sexual harassment or retaliation, the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Report)

(cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4119.11/4219.11/4319.11 - Sexual Harassment) (cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Record-Keeping

The Superintendent or designee shall maintain, for a period of seven years: (34 CFR 106.45)

1. A record of all reported cases and Title IX investigations of sexual harassment, any determinations of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary sanctions imposed, any remedies provided to the complainant, and any appeal or informal resolution and the results therefrom.
2. A record of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment, including the district's basis for its conclusion that its response was not deliberately indifferent, the measures taken that were designed to restore or preserve equal access to the education program or activity, and, if no supportive measures were provided to the complainant, the reasons that such a response was not unreasonable in light of the known circumstances.
3. All materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process. The district shall make such training materials publicly available on its web site, or if the district does not maintain a web site, available upon request by members of the public.

(cf. 1113 - District and School Web Sites) (cf. 3580 - District Records)

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

Policy 5132.16: Student Dress Guidelines

The Governing Board believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Students' clothing must not present a health or safety hazard or a distraction which would interfere with the educational process.

Students and parents/guardians shall be informed about dress and grooming standards at the beginning of the school year and whenever these standards are revised. A student who violates these standards shall be subject to appropriate 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 dress code may be included as part of the school safety plan and must be presented to the Board for approval. The Board shall approve the plan upon determining that it is necessary to protect the health and safety of the school's students.

Uniforms

The Board recognizes that, in order to promote student safety and discourage peer rivalry and/or gang activity, the principal, staff and parent/guardian at a school site may wish to establish a reasonable dress code, which may include voluntary school uniforms.

Dress codes, which include voluntary school uniforms, may be included as part of the school safety plan submitted as required.

The Superintendent or designee shall establish procedures that schools, parents and guardians will follow if they decide to participate with the voluntary school uniform policy. Students shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardian decide not to participate.

The Governing Board feels that there is nothing inherently wrong with dress or color of dress, but when student's dress serves to intimidate or impede the rights of other students it will be determined that dress is in violation of this policy. A student may not remain at school dressed in a manner which (1) creates a safety hazard for said student or for other students at school, and/or (2) when the dress constitutes a serious and unnecessary distraction to the learning process or tends to disrupt campus order

When the site administrator/designee determines that a student's attire is in violation of this policy, the student will be required to modify his/her clothing and/or apparel in such a manner that it no longer violates this policy. If necessary, the student may be taken or sent home with parental permission to modify unacceptable dress and return to school. Refusal to take steps as described in this policy shall be cause for disciplinary action against the student. Any such disciplinary action shall be handled pursuant to existing student disciplinary policy

Parents/guardians have primary responsibility to see that students are properly attired for school. School district personnel have the responsibility for maintaining proper and appropriate conditions conducive to learning. Hence, the following guidelines will be implemented in all district schools.

1. Shoes will be worn at all times. A substantial sole is required and enclosed toe and heel footwear are highly encouraged.
2. Extremely brief garments that are distracting to the educational environment are not appropriate. Clothing shall be sufficient to conceal undergarments at all times.
3. Clothing or accessories shall be free of writing, pictures or any other insignia which are crude, violent, obscene or sexually suggestive or which advocate racial, ethnic or religious prejudice or the use of tobacco, drugs or alcohol.
4. Earrings, jewelry, or accessories which present a safety hazard to the wearer or others are not suitable for school wear.
5. Only prescription sunglasses may be worn in class. Other types of sunglasses may be worn on campus outside of class.
6. Identified gang attire such as bandannas, haircuts or hair rollers, or any gang paraphernalia are prohibited.

Students are allowed to wear sun protective clothing, including hats, while outdoors during the school day. Each school site will develop a policy indicating the type of sun protective hats that are permitted.

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

The purpose of adopting these Student Dress Guidelines is not to infringe on any individual student's rights to freedom of expression, but rather to encourage students to dress appropriately and come to school properly prepared for participating in the educational process.

Gang-Related Apparel

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed as needed and updated as necessary.

Uniforms

In schools where a majority of parents respond and indicate on a survey that they desire to establish a voluntary school-wide uniform dress code, the principal, staff and the parents/guardians of the individual school site shall:

1. Jointly select the specific uniform to be worn. (Education Code 35183)
2. Describe the uniform parts and identify local vendors who sell those pieces of clothing. A description of the implementation of the voluntary uniform dress code will be submitted to the superintendent's designee including:
 - a. The process for parent notification
 - b. Positive procedures that will be used to encourage students to participate with the voluntary uniform dress code
3. A description of the uniform and a list of costs for each competitively priced item of clothing as provided by a variety of vendors will be sent to parents.
4. Parents will be notified that this is a voluntary uniform dress code and that students not participating shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardians so decide.

Parent Notification

The principal shall give parents/guardian at least six months notice before a school site implements a voluntary school uniform dress code. (Education Code 35183)

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

Drop Off/Pick Up Procedures

Safe Walking to School

Students and parents must follow all traffic laws and safety rules when walking and bicycling to and from school. We encourage you to use the crosswalks to cross the street rather than in the middle of a block.

Bicycles & Skateboards

Children in the 3rd – 5th grades may ride their bicycles, scooters, or skateboards to school with written parent permission. They must follow all safety and traffic laws while riding to and from school, and they must wear a helmet according to California state law. Students and/or visitors are not permitted to ride their bicycles on the school grounds, nor may they ride two persons on a bike. Bicycles are to be parked and locked in the storage area by the South gate on the blacktop. Students must secure their bikes with their own locks. Students may not lock their bicycles together – only one bike per lock. The school is not responsible for stolen or damaged bikes.

Skateboards and scooters may be ridden to and from school under the following circumstances: (1) Skateboards and scooters may never be ridden on school grounds; (2) The student must carry them to and from the classroom; and (3) the classroom teacher agrees to house them in the classroom during the school day.

Transportation

Arroyo Verde is considered a “walking school.” Transportation is provided for some students in special education. For those parents who prefer to drive their children to and from school, please plan to drop your children off and pick them up in the North and South parking lots.

Parking Lot Drop Off & Pick Up

Cars heading North on Church St. will be directed to turn right into the designated parking lots. When exiting the lower parking lot, we are asking cars to make a right turn only and continue North on Church St. Please note that there will be a “No Left Turn” available when heading south on Church St. sign by the upper lot for traffic heading south on Church St. Cars heading South on Church St. will NOT be permitted to make a left turn into the parking lot. Please plan your route out in advance. Additionally, the San Bernardino Sheriff’s Department will be patrolling the area to support our safety efforts. Thank you all for your continued cooperation and support as we improve our drop-off and dismissal process.

Love Street will still be open for left turns. This only impacts left turns into the upper and lower parking lots.

Directions:

- Enter the parking lot from Church St.
- Pull into the parking lot and stay to the right (closest to the sidewalk). Remain in your vehicle the entire time.
- Please remember to pull all the way forward to the designated yellow zone drop-off and pick-up area before your student enters your vehicle.
- Your student will enter/exit on the passenger side of the vehicle only. This is to ensure their safety at all times.
- Slowly exit the parking lot turning right onto Church St.

Upper Parking Lot:

- Students should be picked up on the grass area at the brick wall near the kindergarten rooms.
- Students should stand with feet half on grass & half on concrete while watching for cars.
- Students will be reminded to walk up along the yellow curb toward the hill as cars pull up, so that the flow of traffic does not stop.
- NO students are to stand by the crosswalk under the tree to be picked up. They need to go to an area that is supervised.

Lower Parking Lot:

- No students should wait near the rocks or brick wall.
- Parents need to come to the curb and cross their child in the crosswalk. Please do not call to your child and tell them to cross the street where there is no crosswalk. This is extremely dangerous!
- Come into the parking lot to pick up your child. Please do not pick your child up on Church Street.
- Please do not park at the shopping center.

Vehicle entry is limited in the school parking lot during morning arrival time or afternoon dismissal time, due to space constraints. Buses, vehicles with handicapped signs, and RUSD personnel will be given preferential parking during these times. Double parking in the aisles along the marked spaces or parking in fire lanes is strictly prohibited.

Please follow all traffic and safety rules when coming to and from school. We encourage you to use the sidewalks and crosswalks. Be safe at all times – do not jaywalk or jump over fences. If you need to park your vehicle, please park in unmarked/unreserved parking spots in the North and South parking lots. Do not double-park in the parking lot or on the street. Highland Police Department will enforce traffic and parking laws on the street and in the parking lot.

The Village at East Highlands Ranch Stater Bros Shopping Center

The management company at the shopping center located next to the school has requested that parents not park in their lot for pick up/drop off and school events. As a community partner we ask that you respect this request and park in the neighborhood streets and not at the shopping center.

Animals on Campus

Arroyo Verde acknowledges the important role that pets, dogs in particular, play in our community and the positive impact dogs can have on family life. However, the safety of our students is our first priority. Dogs on campus have the potential to increase the risk of injury to children caused by dogs (e.g. bites and scratches) and through dogs reacting adversely to unexpected noise and/or movement of children. As a reminder our district approved policy is as follows. BP 1330.2 Community Relations

It shall be the policy of the district to prohibit the bringing of animals and pets on district property by employees and students of the district, or the general public, with the following exceptions: (This includes holding your pets in your arms.)

1. Animals or pets may be permitted on school property for specific educational purposes, as determined by the principal or site manager.

2. Guide dogs for blind persons shall not be prohibited from entering district property.

Persons bringing animals or pets onto district property shall assume resulting liability.

Policy REDLANDS UNIFIED SCHOOL DISTRICT

adopted: February 14, 1995 Redlands, California

If you do choose to walk to school with your pet you are requested to wait with your pet on the upper street sidewalks on Church Street and Love Street. We request that you share this information with any family members who also pick up your student.

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

Component:

Physical Environment

The Schools' Location and Physical Environment

Arroyo Verde Elementary School is located in the Highland Sheriff area of San Bernardino County that has an average crime rate and average poverty level. The immediate area round the school includes single-family homes as well as a condominium community The school is also bordered by the common areas of the East Highlands Ranch HOA and developed shopping center frequented by the community. Present safety hazards include times with student ingress and egress. Community members driving recklessly greatly endanger students..

Description of School Grounds

The school site encompasses 10 acres. The grounds are grass, concrete and asphalt and includes basketball and volleyball courts, baseball diamonds and a lined track. There are several wings and/or clusters of classrooms including 18 classrooms 10 re-locatable classrooms. Other ancillary structures include a Speech room, psychologist room, teacher collaboration room, Multi-Purpose Room, Library, and Office/Administration building..

During the school day, staff members and administrators shall provide campus supervision. Identified problem areas receive increased supervision to reduce discipline, crime, or other school safety concerns.

It shall be the practice of Arroyo Verde Elementary School to remove all graffiti from school property before pupils arrive to begin their school day. Other acts of vandalism are promptly addressed.

Maintenance of School Buildings/Classrooms

The school's physical facility is well maintained and generally looks neat and clean. The school was most recently painted during the 2018 school year renovated during the 2005 year. District personnel periodically examine the school's physical facility and help eliminate obstacles to school safety. Additionally, health and fire department inspectors contribute to school safety.

Repair and upgrading are done through the online work order system to continue proper maintenance of the school.

Internal Security Procedures

Arroyo Verde Elementary School has established procedures in the following areas: California Safe School Assessment (CSSA) reporting procedures, suspension and expulsion procedures, inventory system, and Visitor check in/check out system via the RAPTOR program. Visitors are required to produce identification processed through the Megan's Law information system via RAPTOR, Visitors are required to wear a sticker upon entrance of the office and campus. Volunteers are required to go through Megan's Law, TB test, fingerprinting, and Board approval. The entire campus is fenced/gated. Discipline and Procedures have been created and implemented. Positive rewards and consequences for behaviors are distributed. District-wide lockdown procedures and updated School Safety Plan as well as meetings of the Safety Committee revise the plan and discuss ongoing safety concerns on campus..

Arroyo Verde Elementary School crime statistics reflect a total of 0 crimes reported during the 2023-2024

Keeping reportable crimes at a minimum requires constant vigilance. The following strategies will be utilized in achieving this goal Maintenance of surveillance video cameras, Volunteer/Parent/Community member check in through RAPTOR in the office, communication with Sheriff's department, locking of gates and classrooms during the day, and daily classroom checks. The use of WeTip hotline as well as SEE SOMETHING SENSE SOMETHING, SAY SOMETHING - 1-800-827-8724 (the CFS 24 hour hotline), Sprigeo, continuation of lock down drills, fire and earthquake drills are some strategies utilized.

Arroyo Verde Elementary School maintains a copy of the district's sexual harassment policy in the main office and posted in our school handbook online. The District's Sexual Harassment Policy contains dissemination plans, applicable definitions, reporting requirements, investigation procedures, enforcement regulations, and information related to suspension and/or expulsion for sexual harassment of or by pupils. Additionally, a notice summarizing this sexual harassment policy appears in the Parent & Student Handbook, The parent student handbook is available online to all parents and pupils.

To ensure the safety of pupils and staff, all visitors to the campus, except pupils of the school and staff members, shall register immediately upon entering any school building or grounds when school is in session. District employees, not assigned to Arroyo Verde Elementary School shall wear appropriate identification badges while on campus conducting business.

Discipline procedures shall focus on finding the cause of problems and working with all concerned to reach the proper, lawful solutions. The school's discipline plan begins at the classroom level. Teachers shall use a visible classroom management plan to communicate classroom rules, promote positive pupil conduct, and reduce unacceptable conduct. Appropriate consequences are administered based on the seriousness of the pupil's misbehavior.

Pupil conduct standards and consequences for Arroyo Verde Elementary School are specifically described in this Comprehensive Schools Safety Plan including: (a) the adopted school discipline rules and procedures, (b) District Disciplinary Guidelines, and (c) the adopted school-wide dress code.

Pupils may be suspended, transferred to another school, or recommended for expulsion or for certain acts. For specific student violations, a mandatory expulsion recommendation shall be submitted by the administration of Arroyo Verde Elementary School.

Site administrators contribute to a positive school climate, promote positive pupil behavior, and help reduce inappropriate conduct. The principal/designee uses available district and other appropriate records to inform teachers of each pupil identified under E.C. 49079.

Law enforcement is contacted and consulted to help maintain and to promote a safe and orderly school environment. Arroyo Verde Elementary School employees comply with all legal mandates, regulations, and reporting requirements for all instances of suspected child abuse.

If appropriate, additional internal security procedures affecting the integrity of the school facility include: Counseling for students, IST process, IEP process, 504's, Behavior support plans, Communication with parents/guardians, Documenting in Aeries.Net, Support from CVHS and Beattie Middle School Security Teams.

Community involvement is encouraged to help increase school safety. Volunteers on campus, WeTip communication through District and school website, email, phone and school newsletter, YMCA on campus before and after school, neighborhood watch, after school organized and district approved sports clubs on campus until dusk, RAPTOR system, CFS hotline (1-800-827-8724)

Inventory System - Engraved ID, Security Storage
Most school-site equipment has a metal ID tag or a bar cod sticker adhered to its surface. These items are inventoried annually and there is an established accountability system. Office and classroom supplies are secured.

Element:
Update on-site emergency preparedness

Opportunity for Improvement:
Update on-site emergency preparedness

Objectives	Action Steps	Resources	Lead Person	Evaluation
Update emergency preparedness	1. Create emergency bags for each student. 2. Send home for families to fill with specific items. 3. Collect and store on site.	bags, labels, storage containers	Site admin, safety committee, PTA	emergency bag collected for each student

Component:
School Climate

The School’s Social Environment
Leadership at Arroyo Verde Elementary School is a shared process. A proactive role is assumed in all phases of the school operation. The current management team is committed to developing Arroyo Verde Elementary School toward excellence in the areas of academic and social behavior.

The principal sets a positive tone for the school, guides the staff and works closely with them on curriculum and school safety issues. The school site’s organizational structure is open and flexible contributing to sensitivity concerning school safety issues and promoting a safe, orderly school environment conducive to learning.

Disaster Procedures, Routine and Emergency

A contingency plan for emergencies is contained in a handbook available to each staff member. The District's Emergency Response Plan - (ERP Plan) is listed at the last section of this plan. The plan is reviewed at the beginning of each school year. This plan also contains available district and outside agency resources, emergency disaster procedures and information on Standardized Emergency Management System (SEMS).

Classroom Organization and Structure

Arroyo Verde Elementary School teachers provide a varied learning environment in their classrooms. Teachers use a variety of teaching strategies including: explicit direction instruction, guided instruction, heterogeneous and homogeneous groupings, small group instruction, Google classroom, flexible seating, EL and GATE strategies, field trips, reading and math intervention groups, STEM, and frequent use of technology.

The teachers at Arroyo Verde Elementary School are highly qualified, with many teachers holding advanced degrees. The staff is united in their desire to provide quality education for all pupils. Classrooms and teachers provide safe, orderly learning environment, enhance the experience of learning, and promote positive interactions amongst pupil and staff. Instructional time is maximized and disruptions are minimized.

The School's Cultural Environment

There is a high level of cohesiveness among the staff members at Arroyo Verde Elementary School. Cooperation and support between teachers and the administration is evident. Efforts are made by the administration and staff to show concern for all pupils.

All pupils are expected to behave in a manner that promotes safety and order. Pupils are encouraged to bring problems to the principal, assistant principal, counselor, teacher or other staff members. The everyday goal is for the staff to be proactive rather than reactive in all situations of concern.

The academic and behavior efforts of pupils are recognized and rewarded.

Cultural diversity is celebrated throughout the year by cultural celebrations, cultural readings, Black History Month, class performances, classroom lessons, community involvement, Parent and Family Nights, ELAC meetings, AAPAC meetings, Title 1 Parent Night, and assemblies..

Element:

Goal 2:

Improve access to student events.

Opportunity for Improvement:

Update the sound system in the MPR to increase access to student events.

Objectives	Action Steps	Resources	Lead Person	Evaluation
Desired Change #1 Update the sound system in the MPR to increase access to student events.	Work with PTA and SSC to determine priority of spending and funding source.	PTA donation of time, AMS funding, PTA funds Budget: \$10,000	Principal, PTA, SSC	Before and After Audio Testing

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

Arroyo Verde Elementary School Student Conduct Code

Procedures to Ensure a Safe and Orderly Environment

Rules and Procedures on School Discipline

Philosophy of Discipline

- Behavior expectations and the consequences for not meeting expectations must be clearly communicated to all students and their parents (in writing as well as verbally).
- The severity of consequences for violating behavior expectations increases with each incident of inappropriate behavior.
- The consequences for violating behavior expectations should be severe enough to discourage students from making poor behavior decisions.
- Expectations and consequences should permit students an opportunity to eliminate inappropriate behavior.

Additionally, the school staff recognizes that the middle school years are a transition time from adolescence to young adulthood. As a part of this transition, the student is given greater opportunities to be responsible and demonstrate independence and good judgment. The structure of our behavior expectations (in the classroom as well as school wide) is meant to encourage students to be responsible. The first step in many instances of inappropriate behavior (those considered to be "minor") is a simple warning ("Your behavior is unacceptable. Please stop such behavior"). It is only when a student ignores such warnings and continues to choose to act irresponsibly (like a child rather than an emerging adult) that we involve parents and implement consequences.

Elements of a Good Discipline Program

1. The program is focused upon making the entire campus, especially the classroom, a safe, supportive and orderly environment for learning for students and staff.
2. Classroom authority is retained by the classroom teacher. (Administration's role is to support, not to replace.)
3. Rules and procedures are clearly understood by staff and students.
4. All staff members will acknowledge and take appropriate action on any minor or major infraction of the school rules.
5. Rules and procedures comply with State Law and District policies.
6. The program recognizes the responsibilities and the rights of students and staff.
7. Program is structured to keep students in class and engaged in the educational process.
8. Rules are enforced:
 - A. by all staff members at all times.
 - B. strictly, but not rigidly (beware of "automatics").
 - C. in substantial part by adult modeling.
 - D. using techniques that promote the growth of positive self-esteem.
 - E. as close to the source as is possible.
 - F. by keeping parents informed.
9. The discipline program is understood, endorsed, and supported by staff, parents, and students.

PRINCIPAL'S STATEMENT TO EDMS STAFF

Expectations in Developing & Maintaining Discipline

As Principal of our school, I will expect;

Each teacher to have a defined system of classroom management. A written description of this system, including representative examples of the progressive interventions you intend to employ, will be approved and filed by me. Whenever possible and appropriate, teachers are encouraged to use standards and systems that are consistent with other village/department members.

You can expect

Each administrator to assist and support you in every reasonable way in developing, implementing, and refining that system as needed.

I will expect

That when you refer a student for discipline:

1. The student has been made fully aware of classroom and school rules and knows what rules he/she has violated.
2. Teachers within a village will discuss any continuing behavior problems and schedule a team conference with the student and parents when appropriate.
3. That information will be provided on the referral regarding previous actions you have taken regarding this specific issue.
4. You have exhausted the interventions at your disposal (i.e., you have done everything you can do) and you have followed the guidelines established by the administration and staff on what constitutes an appropriate behavior referral.
5. The behavior was so serious or so blatant as to make immediate removal from the classroom necessary.
6. The written referral will be explicit in stating the offense(s).
7. You will send the student out of class with a referral only if his/her continued presence in the class would disrupt or prevent teaching and/or learning.
8. If necessary, the referral will be delivered to the office at a time convenient to the staff member so that the issue may be handled most efficiently, causing a minimum of lost class time.

You can expect

1. Each administrator to support your position in every reasonable way.
2. A response time on your referral of one, or at most, two days.

3. The availability of an administrator to discuss unresolved referrals after school on any given day.
4. That the administrator will exercise independent judgment regarding disposition of referrals.

I will expect

1. That each teacher will go to the doorway of his/her classroom after each class period as often as possible and assume control of student behavior in the corridor.
2. That each staff member will hold students accountable for their behavior on the school grounds at all times.

You can expect

1. Administrator support, investigation, and follow-through as indicated.
2. A response to referrals from incidents outside the classroom to be the same as to those within.

Michele Lenertz
Principal

WHAT TO DO WHEN PROBLEMS APPEAR

Both behavioral and academic problems are present in some of our students. Teachers often ask for guidelines for dealing with these problems. Here they are:

1. Talk to the administrator assigned to your grade level.
2. Call parents at first sign of concern. Inform the parents of your observations, ask for their ideas, assistance, and support in serving the student. Keep a log of your calls.
3. If possible, talk privately to the student about your concerns.
4. Behavior concerns—look through students' CUM file. Any official suspensions will be in file, also look for teacher comments on report cards. Look for patterns of behavior. We use In-House Suspension whenever possible, as it is preferable to having students at home unattended—and it saves the district money. Serious infractions (fighting, threats, etc.) do result in official suspension. Unresponsive students can be moved to other schools or expelled.
5. Referrals—please remember if you write a student referral, you are required to call the parents. You are writing the referral and can answer the parents' questions firsthand. Administrators will also call parents, but we can only give secondhand information on the incident.
6. Academic Concerns—again, look through student CUM. This will contain test scores, report cards, and a student history. You may want to ask the grade level administrator to schedule a Student Study Team (SST). This will involve a meeting with the student, parents, administrators, students' teachers, and perhaps the psychologist

Conduct Code Procedures

(K) Hate Crime Reporting Procedures and Policies

AR 5145.3

Students

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)

POSITION/TITLE ADDRESS: PHONE:

Asst. Supt., Educational Services 20 W. Lugonia Avenue (909) 307-5300
Director, Student Services
Director, Elementary Education

Director, Secondary Education
Executive Director, Special Services
Director, Accountability, Staff Development, & School Improvement
Director, Instructional Technology & Accountability
Director, English Learners & Parent Engagement

(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 5145.7 - Sexual Harassment)
(cf. 5145.71 - Title IX Sexual Harassment Complaint Procedures)

Measures to Prevent Discrimination

To prevent unlawful discrimination, including discriminating 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)

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 1113 - District and School Websites)
(cf. 1114 - District-Sponsored Social Media)
(cf. 5131.2 - Bullying)
(cf. 5145.9 - Hate-Motivated Behavior)

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:

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

(2) An explanation of how the complaint will be investigated and how the complainant may further pursue the complaint, including web links to this information on the OCR's website

(3) A web link to the OCR complaints form and the contact information for the office, including the phone number and email address for the office

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 website 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, including transgender and gender-nonconforming students. The notice shall inform students and parents/guardians that they may request to meet with the compliance officer to determine how best to accommodate or resolve concerns that may arise from the district's implementation of its nondiscrimination policies. The notice shall also inform all students and parents/guardians that, to the extent possible, the district will address any individual student's interests and concerns in private.
(cf. 5145.6 - Parental Notifications)
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, including transgender and gender-nonconforming students.
(cf. 1240 - Volunteer Assistance)
(cf. 4131/4231/4331 - Staff Development)
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)
(cf. 4112.9/4212.9/4312.9 - Employee Notifications)
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
(cf. 5131.5 - Vandalism and Graffiti)
 2. Providing training to students, staff, and parents/guardians about how to recognize unlawful discrimination, how to report it or file a complaint, and how to respond
 3. Disseminating and/or summarizing the district's policy and regulation regarding unlawful discrimination
 4. Consistent with laws regarding the confidentiality of student and personnel records, communicating to students, parents/guardians, and the community the school's response plan to unlawful discrimination or harassment
(cf. 4112.6/4212.6/4312.6 - Personnel Files)
(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 5125 - Student Records)

5. Taking appropriate disciplinary action against students, employees, and anyone determined to have engaged in wrongdoing in violation of district policy, including any student who is found to have filed a complaint of discrimination that he/she knew was not true

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

(cf. 5144 - Discipline)

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

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

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

Process for Initiating and Responding to Complaints

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

Any school employee who observes an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, or to whom such an incident is reported, shall report the incident to the Compliance Officer or principal, within one 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 principal or compliance officer shall begin the investigation and shall implement immediate measures necessary to stop the discrimination and ensure that all students have access to the educational program and a safe school environment. Any interim measures adopted to address unlawful discrimination shall, to the extent possible, not disadvantage the complainant or a student who is the victim of the alleged unlawful discrimination.

Any report or complaint alleging unlawful discrimination by the principal, compliance officer, or any other person to whom a report would ordinarily be made or complaint filed shall instead be made to or filed with the Superintendent or designee who shall determine how the complaint will be investigated.

(cf. 5141.4 - Child Abuse Prevention and Reporting)

Transgender and Gender-Nonconforming Students

Gender identity of a student means the student's gender-related identity, appearance, or behavior, as determined from the student's internal sense 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 or not 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.

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

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

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 transgender status 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 transgender and gender-nonconforming students.

Examples of bases for complaints include, but are not limited to, the above list, as well as improper rejection by the district of a student's asserted gender identity, denial of access to facilities that correspond with a student's gender identity, improper disclosure of a student's transgender status, discriminatory enforcement of a dress code, and other instances of gender-based harassment. To ensure that transgender and gender-nonconforming students are afforded the same rights, benefits, and protections provided to all students by law and Board policy, the district shall address each situation on a case-by-case basis, in accordance with the following guidelines:

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

As appropriate, given the student's need for support, the compliance officer may discuss with the student any need to disclose the student's transgender or gender-nonconformity status or gender identity or gender expression to 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.

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

2. **Determining a Student's Gender Identity:** The Compliance Officer shall accept the student's assertion of 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 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 a transgender or gender-nonconforming individual, so that prompt action can be taken to address it. Alternatively, if appropriate and desired by the student, the school may form a support team for the student that will meet periodically to assess whether the arrangements for the student are meeting their 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 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.

(cf. 6145 - Extracurricular and Co-curricular Activities)

(cf. 6145.2 - Athletic Competition)

(cf. 6153 - School-Sponsored Trips)

(cf. 7110 - Facilities Master Plan)

5. Student Records: A student's legal name or gender as entered on the mandatory student record required pursuant to 5 CCR 432 shall only be changed with proper documentation. When a student presents government-issued documentation of a name and/or gender change or submits a request for a name and/or gender change through the process specified in Education Code 49070, the district shall update the student's records. (Education Code 49062.5, 49070)

(cf. 5125 - Student Records)

(cf. 5125.1 - Release of Directory Information)

(cf. 5125.3 - Challenging Student Records)

6. Names and Pronouns: If a student so chooses, district personnel shall be required to address the student by a name and the pronouns consistent with 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.

(cf. 5132 – Student Dress Guidelines)

Regulation REDLANDS UNIFIED SCHOOL DISTRICT

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revised: January 12, 2022

(J) Procedures to Prepare for Active Shooters

Lock Down Drills are practiced each year. These drills prepare staff on the three levels of safety in a crisis. Each type of drill is practiced with students.

3 LEVELS OF STUDENT SAFETY IN A CRISIS

Safe and Secure Mode is a security procedure used to reduce student and staff movement outside school buildings. This may be due to a medical emergency, area disturbance, isolated site disturbance, etc. It is designed to allow for school to carry forward but have the ability to move to Lockdown quickly if needed. During the Safe and Secure mode, there is heightened vigilance on campus by all school staff. Generally, recesses and outdoor activities are reduced. Parents/guardians can have access to their student(s) and may check them out of school if they see fit to do so.

Teachers should continue teaching as normal

Allow students restroom use with clear administrator/ teacher direction

Increased available staff presence during passing periods and student dismissal

Lunch/activities monitored more closely for movement outside of lunch area, unless site admin decides otherwise

Standard inclement weather schedule/routine in place, unless site administrator/designee decides otherwise

Perimeter gates, where applicable, will be locked and monitored by available staff, allowing for central access points

PE classes will be monitored more closely for movement outside of PE area; classes may be moved off all fields into more secure locations (e.g., gym, class, & MPR)

Lock Down is called when a law enforcement event is happening in the vicinity of a school or on campus. With the support of law enforcement, a school site will call a Lock Down as a precautionary measure. This means all students and staff must stay inside behind locked doors; however, it does not mean that there is an active threat occurring on campus.

Take a look outside your classroom and gather up any stray students in the hallways

Ensure that your door is locked

Project a calm demeanor to help students remain calm; reassure students that they are safe

Do not allow anyone to leave the classroom

Staff and parents/guardians frequently check their emails for updates from their site administrators

If students are out on the playground or athletic fields, quickly move them to a secure classroom, locker room, or multi-purpose room

Teachers continue to keep students engaged in learning

Critical Alert is called when a significant, threatening event is happening on campus or adjacent to campus that creates a potential danger to students and staff. While this may be communicated to the school by law enforcement, it may also be determined by school officials on the scene. Critical Alert assumes that everyone is prepared for a potential significant threat/event on campus.

Turn off or reduce lighting, so it will appear that the room is vacant

Keep all students sitting on the floor, away from the door or windows

Do not look out the windows

Advise the students that there is a serious situation; project a calm demeanor and reassure students that you are taking steps to keep them safe

Ensure that everyone in the room turns the ringer off on their cell phones

Do not allow students to talk on their cell phones (keep room as quiet as possible)

Limit calls to the school office; phones are being used to communicate with parents/guardians and first responders

Quietly take roll and make a list of missing students and any extra students that are in your room. Email this list to your administrators and school site secretaries

When staff determines, they will direct the evacuation of students they oversee to the designated area; each staff will make this determination based on their specific situation

Do not open the door, even if someone knocks and claims to be a staff member (administrator/custodian will have a master key)

If students are out on the PE field, do not return them to the locker room. Move them to a safe place (this may be the farthest part of the campus or off campus); Staff must remain with students until reunification

School Lockdown/Critical Alert Procedure Checklist

School Site Administrator(s) Actions

Contact law enforcement immediately

Initiate lockdown using Raptor/Respond in Raptor Group Chat

Initiate All Call notifying staff that the site is on lockdown. Advise staff to check Raptor and emails. Instruct substitute teachers to refer to substitute handbook.

Notify Superintendent's Office

Ensure all exterior doors are locked

Prepare to provide information to first responders

Current situation

School map

Copy of 3-Levels of Student Safety in Crisis

School site administrator contact information

Implement communication plan for parents/guardians, staff and media – i.e. appoint someone to provide updates via Parent Square (Smart Alerts) and Raptor. Update parents on dismissal time and location if necessary.

Instruct staff to follow procedures outlined in 3 Levels of Student Safety In a Crisis

Contact substitutes and any non-school site RUSD staff on campus

Additional Steps for All Staff

In Lockdown, Campus Safety and Staff do sweep – only if there is no immediate threat to the school site. If outside, in hallways, and in restrooms, move students to nearest secure room

Follow all instructions from law enforcement

Do not use cell phones unless it's an emergency; messaging through Raptor is preferable

Be prepared to implement evacuation procedures when needed

Be prepared to implement reunification procedures when needed

Post-Lockdown/Critical Alert Actions

Account for all students and staff

Communicate with parents/guardians through ParentSquare Smart Alerts and staff about the incident and next steps

Provide immediate support for any individuals in distress; work with first responders and

RCSS as needed

Debrief with staff and students as appropriate

Review and evaluate lockdown procedure effectiveness

Notify after school programs when needed

Additional Considerations

Provide assistance and messaging for Special Education students

Communicate with Transportation on field trips

Principal should be at the Command Post with Incident Commander

Parents/guardians and students should be in an area away from Incident Command Post

Have waters on hand to provide if needed; notify Superintendent's Office if they need waters

Staff and Admin need to routinely review their site-specific Emergency Operation Plan

Raptor Drill - Practice using the accountability portion of Raptor

Discuss in staff meetings

Armed Assault on Campus

An Armed Assault on Campus involves one or more individuals who attempt to take hostages or cause physical harm to students and staff. Such an incident may involve individuals who possess a gun, a knife or other harmful device.

Procedure

1. Upon first indication of an armed assault, personnel should immediately notify the School Administrator.
2. The School Administrator will initiate the appropriate Immediate Response Action(s), which may include SHELTER-IN-PLACE, LOCK DOWN, EVACUATE BUILDING or OFF-SITE EVACUATION as described in Section 4.0.
3. The School Administrator will call "911" and San Bernardino Sheriff, the school's local law enforcement agency, at 909-425-9793, and provide the exact location and nature of the incident. The School Administrator should designate a person to remain online with Police if safe to do so. If there is an assigned officer on campus, they shall be notified.
4. Staff should take steps to calm and control students, and if safe to do so, attempt to maintain separation between students and the perpetrator.
5. Staff should maintain order in all areas of assembly or shelter, and should await the arrival of law enforcement.

6. After the perpetrator(s) has been neutralized, the School Administrator will conduct a headcount of students and staff, and will notify law enforcement of any missing persons.
7. The First Aid/Medical Team will work with local authorities to ensure injured students and staff receives medical attention.
8. The Security/Utilities Team will control all points of entry to the school.
9. The School Administrator will prepare a verified list of casualties, and the locations to which they were transported. The School Administrator will confer with the Psychological First Aid Team to ensure the notification of parents and family members.
10. All media inquiries will be referred to the designated Public Information Officer.
11. The School Administrator will debrief staff and campus and local police officers.

Procedures for Preventing Acts of Bullying and Cyber-bullying

District Bullying Policy

The Redlands USD 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, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any other student or school personnel, or retaliate against them for filing a complaint or participating in the complaint resolution process.

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

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

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

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

Any person that has been a victim of, or witnessed bullying or harassment on school grounds, during school activities, or going to and coming from school is highly encouraged to report the incident immediately to a counselor, administrator, or other adult personnel on campus. Students have an option of reporting the incident anonymously through Sprigeo online Sprigeo - Report School Safety Threats and Bullying on the school and district's websites.

Definition of Bullying

The district and school are compliant with Assembly Bill AB86 and Education Code 48900 (r) which states that bullying is "one or more acts by a pupil or group of pupils directed against another pupil that constitutes sexual harassment, hate violence, or severe or pervasive intentional harassment, threats, or intimidation that is disruptive, causes disorder, and invades the rights of others by creating an intimidating or hostile educational environment, and includes acts that are committed personally or by means of an electronic act." School officials have the authority to suspend a pupil or recommend a pupil for expulsion for bullying, including but not limited to bullying by an electronic act.

Harassment or bullying of students or staff is an extremely serious violation. The District will not tolerate unlawful bullying and harassment on school grounds, or when traveling to and from school or a school sponsored activity, and during lunch period, whether on or off campus, or sending insulting or threatening messages by phone, e-mail, websites, or any other electronic or written communication. The physical location or time of access of a computer-related incident cannot be raised as a defense in any disciplinary action initiated pursuant to this policy.

"Bullying" is defined as any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils directed toward one or more pupils that has or can be reasonably predicted to have the effect of causing a reasonable pupil to experience a substantially detrimental effect on the pupil's physical or mental health, academic performance, or ability to participate in school activities.

"Cyberbullying," includes the transmission of harassing communications, direct threats, or other harmful texts, sounds, or images on the Internet, social media, or other technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation. 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 shall file a request with the networking site or service to suspend the privileges of the student and to have the material removed.

Safety Plan Review, Evaluation and Amendment Procedures

The Arroyo Verde Elementary safety committee meets throughout the year to update the safety plan. Once updated, the plan is sent to school site council for approval.

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 Council Approval	9/28/23	Minutes

Emergency Response Guidelines

Step One: Identify the Type of Emergency

The first step in responding to an emergency is to determine the type of emergency that has occurred. Emergency procedures for the 18 different types of emergencies listed below are provided in Section 5.0.

- Aircraft Crash
- Animal Disturbance
- Armed Assault on Campus
- Biological or Chemical Release
- Bomb Threat
- Bus Disaster
- Disorderly Conduct
- Earthquake
- Explosion/Risk of Explosion
- Fire in Surrounding Area
- Fire on School Grounds
- Flooding
- Loss or Failure of Utilities
- Motor Vehicle Crash
- Psychological Trauma
- Suspected Contamination of Food or Water
- Threat of Violence
- Unlawful Demonstration/Walkout

Step Two: Identify the Level of Emergency

The second step in responding to an emergency is to determine the level of the emergency. For schools, emergency situations can range from a small fire to a major earthquake. To assist schools in classifying emergency situations, a three-tiered rating system is described below.

Level 1 Emergency: A minor emergency that is handled by school personnel without assistance from outside agencies, e.g., a temporary power outage, a minor earthquake, or a minor injury in the play yard.

Level 2 Emergency: A moderate emergency that requires assistance from outside agencies, such as a fire or a moderate earthquake, or a suspected act of terrorism involving the dispersion of a potentially hazardous material, e.g., “unknown white powder”.

Level 3 Emergency: A major emergency event that requires assistance from outside agencies such as a major earthquake, civil disturbance or a large-scale act of terrorism. For Level 3 emergencies, it is important to remember that the response time of outside agencies may be seriously delayed.

Step Three: Determine the Immediate Response Action

Once the type and extent of an emergency have been identified, school personnel can determine if an immediate response action is required. The most common immediate response actions initiated during school emergencies are:

- Duck and Cover
- Shelter-In-Place
- Lock Down
- Evacuate Building
- Off-Site Evacuation
- All Clear

Step Four: Communicate the Appropriate Response Action

Duck and Cover

This action is taken to protect students and staff from flying or falling debris.

Description of Action

1. The Principal will make the following announcement on the PA system. If the PA system is not available, the Principal will use other means of communication, i.e., sending messengers to deliver instructions. The Principal should be calm, convey reassuring comments that the situation is under control and give clear directions.

“YOUR ATTENTION PLEASE. AS YOU ARE AWARE, WE ARE EXPERIENCING SOME SEISMIC ACTIVITY. FOR EVERYONE’S PROTECTION, ALL STUDENTS SHOULD FOLLOW STAFF DUCK AND COVER PROCEDURES, WHICH MEAN YOU SHOULD BE IN A PROTECTED POSITION UNDER A TABLE OR DESK, AWAY FROM WINDOWS AND ANYTHING THAT COULD FALL AND HURT YOU. HOLD THIS POSITION UNTIL THE SHAKE STOPS OR GIVEN FURTHER INSTRUCTIONS.”

2. If inside, teachers will instruct students to duck under their desks and cover their heads with their arms and hands.

3. If outside, teachers will instruct students to drop to the ground, place their heads between their knees, and cover their heads with their arms and hands.

4. Teachers and students should move away from windows.

Shelter-in-Place

This action is taken to place and/or keep students indoors in order to provide a greater level of protection from airborne contaminants in outside air. Shelter-in-Place is implemented when there is a need to isolate students and staff from the outdoor environment, and includes the shut down of classroom and/or building HVAC systems. During Shelter-in-Place, no one should be exposed to the outside air.

The difference between Shelter-in-Place and Lock Down is that the former involves shut down of the HVAC systems, and allows for the free movement of students within the building. However, classes in bungalows and buildings with exterior passageways will have to remain in the classroom.

Description of Action

1. The Principal will make the following announcement on the PA system. If the PA system is not available, the Principal will use other means of communication, i.e., sending messengers to deliver instructions. The Principal should be calm, convey reassuring comments that the situation is under control and give clear directions.

“YOUR ATTENTION PLEASE. BECAUSE WE HAVE RECEIVED INFORMATION REGARDING A HAZARD IN THE COMMUNITY, WE ARE INSTITUTING SHELTER-IN-PLACE PROCEDURES. REMEMBER, THIS MEANS STUDENTS AND STAFF ARE TO REMAIN INSIDE THE BUILDING AWAY FROM OUTSIDE AIR WITH WINDOWS AND DOORS SECURELY CLOSED AND AIR CONDITIONING UNITS TURNED OFF. ALL STUDENTS AND STAFF THAT ARE OUTSIDE ARE TO IMMEDIATELY MOVE TO THE PROTECTION OF AN INSIDE ROOM. AS SOON AS WE HAVE FURTHER INFORMATION, WE WILL SHARE IT WITH YOU.”

2. If inside, teachers will keep students in the classroom until further instructions are given.

3. If outside, students will proceed to their classrooms if it is safe to do so. If not, teachers or staff will direct students into nearby classrooms or school buildings (e.g., auditorium, library, cafeteria, and gymnasium). Teachers should consider the location and proximity of the identified hazard and, if necessary, proceed to an alternative indoor location.

4. Teachers are responsible to secure individual classrooms whereas the Security/Utilities Team will assist in completing the procedures as needed: shut down the classroom/building(s) HVAC system; turn off local fans in the area; close and lock doors and windows; seal gaps under doors and windows with wet towels or duct tape; seal vents with aluminum foil or plastic wrap, if available; and turn off sources of ignition, such as pilot lights.

Lock Down

This action is taken when the threat of violence or gunfire is identified or directed by law enforcement and it is necessary to prevent the perpetrator(s) from entering occupied areas. During Lock Down, students are to remain in the classrooms or designated locations at all time.

The difference between Shelter-in-Place and Lock Down is that the former involves shut down of the HVAC systems, and allows for the free movement of students within the building.

Description of Action

1. The Principal will make the following announcement on the PA system. If the PA system is not available, the Principal will use other means of communication, i.e., sending messengers to deliver instructions. The Principal should be calm, convey reassuring comments that the situation is under control and give clear directions.

“YOUR ATTENTION PLEASE. WE HAVE AN EMERGENCY SITUATION AND NEED TO IMPLEMENT LOCK DOWN PROCEDURES. TEACHERS ARE TO LOCK CLASSROOM DOORS AND KEEP ALL STUDENTS INSIDE THE CLASSROOM UNTIL FURTHER NOTICE. DO NOT OPEN THE DOOR UNTIL NOTIFIED BY AN ADMINISTRATOR OR LAW ENFORCEMENT. IF OUTSIDE, STUDENTS AND STAFF ARE TO PROCEED INSIDE THE NEAREST BUILDING OR CLASSROOM.”

If inside, teachers will instruct students to lie on the floor, lock the doors, and close any shades or blinds if it appears safe to do so.

2. If outside, students will proceed to their classrooms if it is safe to do so. If not, teachers or staff will direct students into nearby classrooms or school buildings (e.g., auditorium, library, cafeteria, and gymnasium).
3. Teachers and students will remain in the classroom or secured area until further instructions are given by the Principal or law enforcement.
4. The front entrance is to be locked and no visitors other than appropriate law enforcement or emergency personnel, have to be allowed on campus.

Evacuate Building

This action is taken after the decision is made that it is unsafe to remain in the building.

Description of Action

1. The Principal will make the following announcement on the PA system. If the PA system is not available, the Principle will use other means of communication, i.e., sending messengers to deliver instructions. The Principal should be calm, convey reassuring comments that the situation is under control and give clear directions.

“YOUR ATTENTION PLEASE. WE NEED TO INSTITUTE AN EVACUATION OF ALL BUILDINGS. TEACHERS ARE TO TAKE THEIR STUDENTS TO THE ASSEMBLY AREA AND REPORT TO THEIR DESIGNATED AREA. STUDENTS ARE TO REMAIN WITH THEIR TEACHER. TEACHERS NEED TO TAKE THEIR ROLLBOOK AND LOCK THE CLASSROOM WHEN ALL STUDENTS HAVE EXITED THE CLASSROOM.”

2. The Principal will initiate a fire alarm.
3. Teachers will instruct students to evacuate the building, using designated routes, and assemble in their assigned Assembly Area.
4. Teachers will take the student roster when leaving the building and take attendance once the class is assembled in a safe location.
5. Once assembled, teachers and students will stay in place until further instructions are given.

Off-Site Evacuation

This action is taken after a decision is made that it is unsafe to remain on the campus, and evacuation to an off-site assembly area is required.

Description of Action

1. The Principal will make the following announcement on the PA system. If the PA system is not available, the Principle will use other means of communication, i.e., sending messengers to deliver instructions. The Principal should be calm, convey reassuring comments that the situation is under control and give clear directions.

“YOUR ATTENTION PLEASE. WE NEED TO INSTITUTE AN OFF-SITE EVACUATION. TEACHERS ARE TO TAKE THEIR STUDENTS TO THE OFF-SITE ASSEMBLY AREA AND REPORT TO THEIR DESIGNATED AREA. STUDENTS ARE TO REMAIN WITH THEIR TEACHER. TEACHERS NEED TO TAKE THEIR ROLLBOOK AND LOCK THE CLASSROOM WHEN ALL STUDENTS HAVE EXITED THE CLASSROOM.”

2. The Principal will determine the safest method for evacuating the campus. This may include the use of school buses or simply walking to the designated off-site location. The off-site assembly areas are indicated on the Vicinity Map in Appendix C.

3. Teachers will secure the student roster when leaving the building and take attendance once the class is assembled in a pre-designated safe location.

4. Once assembled off-site, teachers and students will stay in place until further instructions are given.

5. In the event clearance is received from appropriate agencies, the Principal may authorize students and staff to return to the classrooms.

All Clear

This action is taken to notify teachers that normal school operations can resume.

Description of Action

1. The Principal will make the following announcement on the PA system. If the PA system is not available, the Principal will use other means of communication, i.e., sending messengers to deliver instructions.

“YOUR ATTENTION PLEASE. IT IS NOW OK TOO RETURN TO YOUR CLASSROOM AND RESUME NORMAL OPERATIONS. I WOULD LIKE TO THANK AND COMMEND STUDENTS AND STAFF FOR THEIR COOPERATION.”

2. This action signifies the emergency is over.

3. If appropriate, teachers should immediately begin discussions and activities to address students’ fears, anxieties, and other concerns.

Types of Emergencies & Specific Procedures

Earthquake

Earthquake

Earthquakes generally occur without warning and may cause minor to serious ground shaking, damage to buildings, and injuries. It is important to note that even a mild tremor can create a potentially hazardous situation and the following procedures should be implemented in response to all earthquakes regardless of magnitude.

Procedure

Note: Keep calm and remain where you are. Assess the situation, and then act. Remember, most injuries or deaths are the direct cause of falling or flying debris.

1. Upon the first indication of an earthquake, teachers should direct students to DUCK AND COVER as described in Section 4.0.

2. Move away from windows and overhead hazards to avoid glass and falling objects.

3. When the shaking stops, the School Administrator will initiate the EVACUATE BUILDING action as described in Section 4.0. Staff and students will evacuate the buildings using prescribed routes or other safe routes to the Assembly Area.
4. In the event of an evacuation, Teachers will bring their student roster and take attendance at the Assembly Area to account for students. Teachers will notify the Assembly Area Team of missing students.
5. The School Administrator will direct the Security/Utilities Team to post guards a safe distance away from building entrances to prevent access.
6. The Security/Utilities Team will notify school personnel of fallen electrical wires and instruct them to avoid touching the fallen wires.
7. The First Aid/Medical Team will check for injuries and provide appropriate first aid.
8. The School Administrator will direct the Security/Utilities Team to notify the appropriate utility company of damages (e.g., gas, power, water, or sewer).
9. If the area appears safe, the Search and Rescue Team will make an initial inspection of school buildings to identify any injured or trapped students or staff.
10. The School Administrator will contact the Local District Superintendent to determine additional actions that may be necessary. In turn, the actions will be communicated to the District's Office of Communications.
11. The School Administrator will contact the Local District Facilities Director to ensure buildings are safe for re-occupancy. When safe to do so, the Fire Suppression and HazMat Team will conduct an inspection of school buildings. The Fire Suppression and HazMat Team will maintain a log of their findings, by building, and provide a periodic report to the Incident Commander.
12. Any affected areas will not be reopened until the Local District Facilities provides clearance and the School Administrator gives authorization to do so.
13. The School Administrator will initiate an OFF-SITE EVACUATION, as described in Section 4.0, if warranted by changes in conditions at the school.

In the event an earthquake occurs during non- school hours:

1. The School Administrator and the Plant Manager will assess damages to determine any necessary corrective actions. The School Administrator may direct the Fire Suppression and HazMat Team to participate in the assessment.
2. The School Administrator should confer with the Local District Superintendent on identified damages to determine if the school should be closed.
3. If the school must be closed, the School Administrator will activate Parent Alert System and School Personnel Alert System as referenced in Section 5.0.

Fire in Surrounding Area

Fire In Surrounding Area

This procedure addresses the situation where a fire is discovered in an area adjoining the school. The initiated response actions should take into consideration the location and size of the fire, its proximity to the school and the likelihood that the fire may affect the school.

Procedure

1. The School Administrator will initiate the appropriate Immediate Response Actions, which may include SHELTER-IN-PLACE, LOCK DOWN, EVACUATE BUILDING or OFF-SITE EVACUATION as described in Section 4.0.
2. The School Administrator will notify "911" and San Bernardino Sheriff, the school's local law enforcement agency, at 909-425-9793 and Redlands Fire Department [909-798-7600] and will provide the location and nature of emergency.

3. The School Administrator will instruct the Security/Utilities Team to prevent students from approaching the fire and keep routes open for emergency vehicles.
4. The Agency Liaison will contact the local fire department and will work with the fire department to determine if school grounds are threatened by the fire, smoke, or other hazardous conditions.
5. If the School Administrator issues the EVACUATE BUILDING action, staff and student will evacuate the affected building(s) using prescribed routes or other safe routes to the Assembly Area.
6. In the event of an evacuation, Teachers will bring their student roster and take attendance at the Assembly Area to account for students. Teachers will notify the Assembly Area Team of missing students.
7. The School Administrator will keep a battery-powered radio tuned to a local radio station for emergency information.
8. As appropriate, the School Administrator will activate Parent Alert System.
9. The School Administrator will notify the Local District Superintendent of the emergency situation. A member of this group will call the Office of Communications with information of this situation.
10. If needed, the School Administrator will notify Bus Dispatch to request busses for staff and student evacuation.
11. The School Administrator will initiate an OFF-SITE EVACUATION, as described in Section 4.0 if warranted by changes in conditions.

Fire on School Grounds

Fire On School Grounds

This procedure addresses situations where a fire is discovered on school grounds. A quick response to this situation is very important to prevent injuries and further property damage.

Procedure

1. Upon discovery of a fire, Teachers or staff will direct all occupants out of the building, signal the fire alarm, and report the fire to the School Administrator.
2. The School Administrator will immediately initiate the EVACUATE BUILDING action as described in Section 4.0. Staff and students will evacuate buildings using the prescribed routes or other safe routes to the Assembly Area.
3. In the event of an evacuation, Teachers will bring their student roster and take attendance at the Assembly Area to account for students. Teachers will notify the Assembly Area Team of missing students.
4. The School Administrator will call "911" and San Bernardino Sheriff, the school's local law enforcement agency, at 909-425-9793 and Redlands Fire Department [909-798-7600] and will provide the exact location (e.g., building, room, area) of the fire.
5. The Fire Suppression and HazMat Team will suppress fires and initiate rescue procedures until the local fire department arrives.
6. The Security/Utilities Team will secure the area to prevent unauthorized entry and keep access roads clear for emergency vehicles.
7. The Agency Liaison will direct the fire department to the fire and brief fire department official on the situation.
8. The Security/Utilities Team will notify the appropriate utility company of damages.
9. The School Administrator will notify the Local District Superintendent of the fire. A member of this group will call the Office of Communications with information on this situation.
10. If needed, the School Administrator will notify Bus Dispatch to request busses for staff and student evacuation.

11. Any affected areas will not be reopened until the Redlands City Fire Department or appropriate agency provides clearance and the School Administrator issues authorization to do so.
12. For fires during non-school hours, the School Administrator and the Local District Superintendent will determine if the school will open the following day.
13. All fires, regardless of their size, which are extinguished by school personnel, require a call to the Fire Department to indicate "fire is out."

Pandemic

Blood Borne Pathogen Incident Reporting Form and Exposure Control Plan

Policy 5141.22: Infectious Diseases

The Governing Board desires to protect students from risks posed by exposure to infectious diseases while providing an appropriate education for all students.

The Superintendent or designee shall determine whether to admit a student with an infectious disease, and shall exclude students only in accordance with law. In making this determination, he/she shall consult the student's parents/guardians, the student's physician and/or the county health department, in accordance with law and consistent with confidentiality provisions. Because bloodborne pathogens such as hepatitis B virus, hepatitis C virus and human immunodeficiency virus (HIV) are not casually transmitted, the sole presence of bloodborne pathogens is not sufficient reason to exclude students from attending school.

cf. 5112.2 - Exclusions from Attendance)
(cf. 5141.26 - Tuberculosis Testing)
(cf. 5141.3 - Health Examinations)
(cf. 6158 - Independent Study)
(cf. 6159 - Individualized Education Program)
(cf. 6183 - Home/Hospital Instruction)

Parents/guardians are encouraged to inform the Superintendent or designee if their child has an infectious disease so that school staff may work cooperatively with the student's parents/guardians to minimize the child's exposure to other diseases in the school setting. The Superintendent or designee shall ensure that student confidentiality rights are strictly observed in accordance with law. No district employee shall release medical information, including knowledge of a bloodborne pathogen infection, without written consent from the parent/guardian or adult student. Such information shall be shared only with those persons specifically named in the written permission.

(cf. 5125 - Student Records)
(cf. 5022 - Student and Family Privacy Rights)

The Board requires students and staff to routinely observe universal precautions to prevent exposure to bloodborne pathogens and to prevent the spread of all infectious disease.

cf. 4119.42/4219.42/4319.42 -Exposure Control Plan for Bloodborne Pathogens)
(cf. 4119.43/4219.43/4319.43 - Universal Precautions)
(cf. 5141.23 - Infectious Disease Prevention)

The Superintendent or designee shall ensure that the district's health education program provides information about the nature of bloodborne pathogens and their transmission.

(cf. 5141.6 - Student Health and Social Services)
(cf. 6142.2 - Sexual Health and HIV/AIDS Prevention Instruction)
(cf. 6142.8 - Comprehensive Health Education)

Blood Borne Pathogens - Safety Practices

Procedures and Regulations

1. General

1.1 While recognizing that both students and employees diagnosed with an infectious blood borne disease are entitled to a confidential relationship between themselves, the medical community and/or other agencies, the Board of School Trustees encourages these individuals to meet with the School Principal and/or Superintendent of Schools to discuss their disease and immediate and future needs.

1.2 Assessment

2. Students:

2.1. The Superintendent (or designate) will be informed, by the school principal as soon as is known, of any student infected with an infectious blood borne disease.

2.2. A Risk Assessment will be conducted using a team approach including the personal physician, public health personnel, the parent or guardian, and school district personnel as appropriate and will make recommendations about the type of educational and care setting based on the following:

- a. Behavior, neurological development and physical condition of the child;
- b. Type of interaction expected with others.
- c. What the potential is for exposure
- d. Areas for potential for exposure
- e. How exposure may happen
- f. Who needs to know?
- g. What will happen if there is a risk of exposure?

2.3. The team will consider the risk to others in the workplace, whether or not the individual is healthy enough to continue to attend school, and what precautions should be taken to ensure the safety and health of others.

a. The identity of infected students will remain confidential and restricted to those who need to know or are required to be informed.

2.4. Decisions on attendance at school are dependent on the circumstances of each individual case. Regular evaluation of the appropriateness of attendance will be conducted.

2.5. The Board will be notified immediately when the team considers the health condition of a student to be a danger to the immediate health and welfare of a school, its students or employees of the Board.

a. Upon being notified of the team's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

3. Employees

3.1. The Superintendent will be informed, by district staff as soon as is known, of any employee infected with an infectious blood borne disease.

3.2. Employees with an infectious blood borne disease, who are able to carry out the essential duties of their jobs in a satisfactory manner without posing a health or safety risk to themselves or others, will be entitled to continue their work.

3.3. Decisions regarding potential health or safety hazards will be made on a case-by-case basis in consultation with the employee, the personal physician and district personnel as appropriate.

3.4. The identity of infected employees will remain confidential and restricted to those who need to know or are required to be informed.

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a. Upon being notified of the Superintendent's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

4. Hygienic Safety Practices

4.1. All employees will follow "Universal Infection Control Precautions" by assuming that blood and other body fluids from all individuals are potentially infectious. These precautions include:

- a. Routinely using gloves when anticipating contact with blood
- b. Immediately washing hands and other skin surfaces after removal of gloves and/or contact with blood

4.2. Schools will be provided with appropriate protective equipment including disposable waterproof gloves (natural rubber latex, neoprene, nitrile, or vinyl), tongs or pliers and proper sharps containers.

4.3. Schools' medical room mattresses will be either vinyl-coated beds or cloth mattress with a protective vinyl (plastic) covering so that they can be cleaned as needed with a bleach solution.

4.4. Blankets can be cleaned as needed by forwarding them, in a clearly labeled plastic bag, to the Assistant Supervisor Operations at the Facilities Office.

5. Universal Precautions

5.1. Universal Precautions to prevent transmission of blood-borne disease will be followed. Universal Precautions is the term for infection control measures endorsed by the Canadian Centre for Occupational Health and Safety for workers who might come into contact with blood and other body fluids. In summary they include:

- a. Wash hands for 30 seconds after contact with blood and other body fluids contaminated with blood.
- b. Wear disposable latex gloves when you encounter blood, body fluids, or when cleaning cuts, scrapes or wounds. Wash your hands as soon as you remove your gloves. Dispose gloves in a plastic bag.
- c. Use disposable absorbent material like paper towels to stop bleeding.
- d. Discard bloodstained material in a sealed plastic bag and deposit in the garbage. Label as containing blood-tainted material.
- e. Cover cuts or scrapes with a bandage until healed.
- f. Immediately protect staff and students from coming in contact with blood-soiled surfaces. The area must be disinfected with a fresh solution of one part bleach and nine-parts water (10% bleach solution).

Mops or brushes used for cleaning should be soaked in a bleach solution for 20 minutes.

(Note: The custodial department will provide each school with the product for dissolving in water to provide the bleach solution.)

6. Identification of Risks of Occupational Exposure

6.1. In accordance with the Occupational Health and Safety Regulations (section 6.35), the district's Health & Safety Coordinator will develop and maintain a list of positions and/or tasks and procedures where there is a potential for occupational exposure to a blood borne pathogen.

6.2. Employees who have, or may have, occupational exposure to the hepatitis B virus, will upon request, receive a hepatitis B vaccination (section 6.39, OH&S Regs).

6.3. Employees who may have been exposed to a blood borne pathogen in an exposure incident will be advised to immediately seek medical attention

Blood Borne Pathogen Incident Reporting Form and Exposure Control Plan

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Comprehensive School Safety Plan

**2024-2025
School Year**

School: Bryn Mawr Elementary School
CDS Code: 36-67843-6111132
District: Redlands Unified School District
Address: 11680 Whittier Avenue
Loma Linda, CA 92354
Date of Adoption: October 24, 2023
Date of Update: October 14, 2024
Date of Review:
- with Staff September 24, 2024
- with Law Enforcement
- with Fire Authority

Approved by:

Name	Title	Signature	Date
Esther Tamanaha	Principal		
Sarah Acosta	Classified Staff		
Yesenia Villegas	SSC Chairperson		
Shawna Dangelo	SSC Secretary		

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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 Bryn Mawr Elementary.

Safety Plan Vision

Bryn Mawr Elementary School will provide a safe, orderly, and secure environment conducive to learning. Bryn Mawr Elementary School will create a school in which pupils will attend regularly and be safe from both physical and social-psychological harm. Bryn Mawr Elementary School will work collaboratively with the district office and school board to identify, establish and use strategies and programs to comply with school safety laws. Bryn Mawr Elementary School will develop a plan to work cooperatively and collaboratively with parents, pupils, teachers, administrators, counselors and community agencies to provide a safe and orderly school and neighborhood. Bryn Mawr Elementary School will develop an academic program that will focus on high expectations of pupil performance and behavior in all aspects of the school experience. Bryn Mawr Elementary School will work collaboratively with other elementary, middle schools and high schools to assist in a smooth transition from one school level to another. Bryn Mawr Elementary School will solicit the participation, views, and advice of teachers, parents, school administrators, and community members and use this information to promote the safety of our pupils, staff and community.

Components of the Comprehensive School Safety Plan (EC 32281)

Bryn Mawr Elementary School Safety Committee

Assessment of School Safety

Bryn Mawr Elementary School has not had any crime reported during the past year. Incidents of crime are fairly rare. Crimes committed in the past have involved minor damage to school property. When crimes do happen, they are reported to school district and law enforcement as appropriate.

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

Introduction - School Profile

Bryn Mawr Elementary School is one of twenty-four schools in the Redlands Unified School District with traditions dating back to 1993. Bryn Mawr Elementary School has a diverse student body and is served by a dedicated certificated and classified staff.

As with many schools, Bryn Mawr Elementary School faces challenges in maintaining a safe environment for staff and students. This section of the Comprehensive School Safety Plan will describe programs in place at Bryn Mawr Elementary, as well as strategies to provide a safe and orderly school environment conducive to learning.

School Crime Status and Reporting

Bryn Mawr Elementary School has not had any crime reported during the past year. Incidents of crime are fairly rare. When crimes do happen, they are reported to school district and law enforcement as appropriate.

Personal Characteristics of Pupil & Staff

(Additional Health and Welfare Data available from ICOE aggregated DAT surveys)

Bryn Mawr Elementary School has an enrollment of 627 pupils in grades TK-5. Pupils from this school come from families with average family mobility. Approximately 70% of the pupils are in families receiving Aid to Families with Dependent Children that are eligible for free/reduce lunches. The ethnic makeup of the pupil population is 46.5% Hispanic, 8.8 % Black, 11.5% Caucasian, 6.9% Filipino, 14.3% Asian, and 10.1% two or more races. Our pupils have a variety of life experiences and varied socioeconomic status.

Curriculum and Educational Activities

The course of study includes the basic core curriculum, physical education and enrichment classes such as art, choir, theatre band and orchestra.

Pupils have the opportunity to participate in free after school programs such as Exploration Experience Program (ASES/ELOP), which provides them with opportunities to participate in STEAM, Art, sports and other activities. The afterschool program prioritizes enrollment based on low socioeconomic status, foster and homeless designation.

Bryn Mawr Elementary is a Leader in Me school, therefore opportunities and additional activities are open to pupils in the areas of leadership (i.e. Kindness quad and student leadership)

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

Policy 5141.4: Child Abuse Prevention and Reporting

The Governing Board recognizes that the district has a responsibility to facilitate the prompt reporting of incidents of child abuse and neglect. The Superintendent or designee shall ensure that parents/guardians have access to procedures whereby they can report suspected child abuse at a school site to appropriate child protective agencies

The Superintendent or designee shall develop and implement regulations for use by employees in identifying and reporting child abuse

District employees shall report known or suspected incidents of child abuse in accordance with district regulations and state law. Employees shall cooperate with the child protective agencies responsible for reporting, investigating and prosecuting cases of child abuse.

(cf. 4112.9 - Signed Statements/Child Abuse Reporting Statements)

The Superintendent or designee shall provide training in child abuse identification and reporting for all certificated and classified personnel. (Penal Code 11165.7)

All employees trained in child abuse identification and reporting shall be given, as a part of that training, written notice of the child abuse reporting requirements and the employees' confidentiality rights. (Penal Code 11165.7)

In order to reduce or eliminate unfounded child abuse accusations directed at school employees, child abuse in service training shall include guidance in disciplining students and maintaining ethical relationships with them.

(cf. 3514 - Safety)

(cf. 5142 - Safety)

Duty to Report

Certificated employees and classified employees trained in child abuse identification and reporting shall report known or suspected child abuse to a child protective agency by telephone immediately or as soon as practically possible and in writing within 36 hours. The reporting duties are individual and cannot be delegated to another individual except under circumstances set forth in Penal Code 11166.

Definitions

Child Abuse includes the following:

1. A physical injury inflicted by other than accidental means on a child by another person.
2. Willful cruelty or unjustifiable punishment of a child, or willfully inflicting unjustifiable physical pain or mental suffering, or failure to safeguard a child from these injuries when the child is under a person's care or custody
3. Sexual abuse of a child
4. Neglect of a child or abuse in out-of-home care
5. Unlawful corporal punishment or injury resulting in a traumatic condition

Mandated Reporters are those people defined by law as child care custodians, health practitioners, child visitation monitors and employees of a child protective agency. Mandated reporters include virtually all school employees. The following school personnel are required to report:

Teachers, administrators, supervisors of child welfare and attendance, certificated student personnel employees, employees of care institutions, Headstart teachers, school psychologists, licensed nurses, counselors, presenters of child abuse prevention programs and those instructional aides or other classified employees trained in child abuse reporting.

Child Protective Agencies are those law enforcement and child protective services responsible for investigating child abuse reports, including the local police or sheriff department, county welfare or juvenile probation department and child protective services.

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

Reporting Procedures

To report known or suspects child abuse, any employee (as defined above) shall report by telephone to the local child protective agency immediately. (Child Protective Services 921 County Center, 3 Court, Modesto, CA phone # 525- 6641)

The following information shall be given:

1. The name of the person making the report
2. The name of the child
3. The present location of the child
4. The nature and extent of any injury

Any other information requested by the child protective agency, including the information that led the mandated reporter to suspect child abuse.

When the verbal 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.

Within 36 hours of making the telephone report, the mandated reporter shall complete and mail to the local child protective agency a written report which includes a completed Department of Justice form (DOJ SS 8572).

Mandated reports may obtain copies of the above form either from the district or local child protective agency.

Instructions are included on the form, and reporters may ask the site administrator for help in completing and mailing it; however, the mandated reporter is personally responsible for ensuring that the written report is correctly filed.

Employees reporting child abuse to a child protective agency are encouraged, but not required, to notify the site administrator or designee as soon as possible after the initial verbal report by telephone. When so notified, the site administrator shall inform the Superintendent or designee.

Administrators so notified shall provide the mandated reporter any assistance necessary to ensure that reporting procedures are carried out in accordance with law and district regulations. At the mandated reporter's request, the principal may assist in completing and filing the form.

If the mandated reporter does not disclose his/her identity to a district administrator, he/she shall at least provide or mail a copy of the written report to the site administrator and the district without his/her signature or name.

Legal Responsibility and Liability

Mandated reporters have absolute immunity. School employees required to report are not civilly or criminally liable for filing a required or authorized report of known or suspected child abuse.

A mandated reporter who fails to report an instance of child abuse, which he/she knows to exist or reasonably should know to exist, is guilty of a misdemeanor and is punishable by confinement in jail for a term not to exceed six months or by a fine of not more than \$1,000 or both. The mandated reporter may also be held civilly liable for damages for any injury to the child after a failure to report

When two or more persons who are required to report have joint knowledge of suspected instance of child abuse, and when they so agree, the telephone report may be made by either of them and a single report made and signed by that person.

However, if any person who knows or should know that the person designated failed to make the report, that person then has a duty to make the report.

The duty to report child abuse is an individual duty and no supervisor or administrator may impede or inhibit such reporting duties. Furthermore, no person making such a report shall be subject to any sanction.

Victim Interview

Upon request, a child protective agency representative may upon request interview a suspected victim of child abuse during school hours, on school premises, concerning a report of suspected child abuse that occurred within the child's home. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. (Penal Code 11174.3)

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

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

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

Peace officer and child protective services agents will be asked to sign an appropriate release or acceptance of responsibility form.

(cf. 5145.11 - Questioning and Apprehension)

When School Employees are Accused of Child Abuse

Regardless of who child abusers may be, the major responsibilities of mandated reports are to 1) identify incidents of suspected child abuse, and 2) comply with laws requiring the reporting of suspected abuse to proper authorities. Determining whether or not the suspected abuse actually occurred is not the responsibility of the school employee. Such determination and follow-up investigation will be made by a child protective agency.

Pending outcome of an investigation by a child protective agency and before formal charges are filed, the employee may be subject to reassignment or a paid leave of absence.

Upon filing formal charges or upon conviction, the district may take disciplinary action in accordance with law, district policies, regulations and/or collective bargaining agreements. The Superintendent or designee shall seek legal counsel in connection with either the suspension or dismissal of the employee.

(cf. 4117.4 - Dismissal)
(cf. 4118 - Suspension/Disciplinary Action (Certificated))
(cf. 4218 - Suspension/Disciplinary Action (Classified))

Suspected Child Abuse Reporting Procedures

I. Initiating the Report

A. The report is initiated by a telephone report to the appropriate agency.

B. If the suspected child abuse has taken place within the family, call the Enter appropriate Agency Hotline at phone number, 1 (800) 827-8724

C. If the suspected child abuse has taken place outside the family, call the local police department at:

Highland Sheriff Police Department
Phone: (909) 425-9793

D. Content of call.

- 1) Name, address and age of child involved.
- 2) Clear description of suspected abuse.

II. Written Report

A. The telephone call is to be followed by completion of the Suspected Child Abuse Report (form 11166.P.C.). These forms are available in the Principal's office at the high school or you may access the form on line at:
http://ag.ca.gov/childabuse/pdf/ss_8572.pdf for a form or immediately call (909) 384-9233 to file a report.

B. The written report is to be addressed to the person to whom the telephone report was made.

C. The written report must follow the phone call within 36 hours.

1. Suspected child abuse within the family,
Agency: Children and Family Services
Address: 150 S. Lena Road, San Bernardino, California 92415

2. Suspected child abuse outside the family should be mailed to the agency to which the report was called -

Adopted: 10/2005
Highland Sheriff Police Department
Phone: (909)425-9793

The reporting party should keep the yellow copy of the Suspected Child Abuse Report form (SS8572) or verification of completion of the reporting obligation.

Caution:

1. The reporting responsibility has not been discharged until both the telephone call and written reports are complete.
2. School personnel are not to engage in any investigation of suspected cases. The investigation will be done by the child protective services office.
3. The reporting responsibility is an individual one which is NOT discharged by report to supervisors or administrators.

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

Disaster Plan (See Appendix C-F)

Each classroom, office, library and room on campus has a posting of a campus map and the emergency procedures near the exit door. Fire Drills are practiced monthly and students practice evacuating to the field and line up in their fire line. Earthquake drills are practiced two times a year. Students practice Duck and Cover and evacuating to the field and In October, the students participate in The Great Shakeout. Lock Down drills are practiced yearly and students practice Safe and Secure in their classrooms. Exploratory Experience Program (ASES/ELOP) practice monthly fire drills, which are aligned with the fire drills date practiced during the day.

Public Agency Use of School Buildings for Emergency Shelters

(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines

Policy 5144.1: Suspension And Expulsion/Due Process

Suspension and Expulsion

The Governing Board recognizes that maintaining an environment which promotes learning and protects the health, safety, and welfare of all students may require the suspension or expulsion of a student from regular classroom instruction. District policies and school site rules shall clearly identify district behavior standards

(cf. 5144 - Discipline)

Except in cases where suspension for a first time offense is warranted in accordance with law, suspension shall be imposed only when other means of correction fail to bring about proper conduct. (Education Code 48900.5)

Expulsion is an action taken by the Board for severe or prolonged breaches of discipline by a student. Except for single acts of a grave nature, expulsion is usually used only when there is a history of misconduct, when other forms of discipline, including suspension, have failed to bring about proper conduct, or when the student's presence causes a continuing danger to other students. (Education Code 48915)

The grounds for suspension and expulsion and the procedures for considering, recommending and/or implementing suspension and expulsion shall be specified in Administrative Regulation.

Each principal shall annually inform all students and parents/guardians of the school's discipline rules and procedures and of the availability of all district policies and regulations dealing with student discipline, suspension and expulsion. (Education Code 35291, 35291.5)

(cf. 5145.6 - Parental Notifications)

Suspended or expelled students shall be excluded from all school-related extracurricular activities during the suspension or expulsion.

cf. 6145 - Extracurricular and Cocurricular Activities)

Zero Tolerance

The Board supports a zero tolerance approach to serious offenses in accordance with state and federal law. This approach makes the removal of potentially dangerous students from the classroom a top priority and ensures the standardized treatment of all students. Staff shall immediately report to the Superintendent/ designee any incidence of offenses specified in law, Board policy, and administrative regulation as cause for suspension or expulsion.

Student Due Process

The Board shall provide for the fair treatment of students facing suspension and expulsion by affording them their due process rights under the law. The administration and staff shall comply with procedures for notices and appeals as specified in regulation.

Procedures governing student due process shall conform in all aspects to provisions in law. (Education Codes 48911, 48915 and 48915.5)

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Whenever a student is suspended, school officials may (but are not required to) meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

cf. 5119 - Students Expelled from Other Districts

(cf. 5144.2 - Suspension and Expulsion/Due Process - Individuals with Exceptional Needs)

Rights of Complaining Witness

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

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

1. Receive five days' notice of his/her scheduled testimony at the hearing
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies
3. Have a closed hearing during the time he/she testifies

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

On-Campus Suspension Program

The Board recognizes that students who are suspended from school frequently have no supervision or guidance during the school hours when they are off campus. The Board believes that in many cases, instead of sending the student off campus, it would be better to address the student's misconduct by keeping the student at school and providing him/her with supervision that is separated from the regular classroom.

The Superintendent or designee shall examine alternatives to off-campus suspension and may establish a suspension program which involves progressive discipline during the school day on campus; using conferences between staff, parents/guardians and students; detention; student study teams or other assessment-related teams; and/or referral to school support services staff.

Required Parental Attendance

The Board believes that parental involvement plays an important role in the resolution of classroom behavior problems. The Board expects that teachers will communicate with parents/guardians when behavior problems arise

Whenever a student is suspended from a class because he/she committed an obscene act, engaged in habitual profanity or vulgarity, disrupted school activities or otherwise willfully defied valid staff authority, the teacher of the class from which the student was suspended may require the student's parent/guardian to attend a portion of a school day in that class. After completing the classroom visit and before leaving school premises, the parent/guardian also shall meet with the principal or designee. (Education Code 48900.1)

The Board encourages teachers, before requiring parental attendance, to make reasonable efforts to have the parent/guardian visit the class voluntarily. The teacher also may consider informing the parent/guardian about available resources which may provide help in the development of parenting skills. Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the student and the parent/guardian and to improve classroom behavior.

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Parental attendance may be required on the day the student returns to class or within one week thereafter. The principal or designee shall contact any parents/guardians who do not respond to the request to attend school. The Board recognizes that parental compliance with this policy may be delayed, modified or prevented by serious illness/injury/disability, absence from town, or inability to get certain release time from work.

The teacher shall apply this policy uniformly to all students within the classroom. This policy shall apply only to a parent/guardian who actually lives with the student. (Education Code 48900.1)

District regulations and school-site rules for student discipline shall include procedures for implementing parental attendance requirements.

Parents/guardians shall be notified of this policy before it is implemented and at the beginning of each subsequent school year. (Education Code 48900.1, 35291, 48980)

Decision Not to Enforce Expulsion Order

In cases where expulsion is mandatory pursuant to Education Code 48915(c), the enforcement of an expulsion order shall not be suspended by the Board. In all other cases of expulsion, the order for expulsion may be suspended by the Board, on a case-by-case basis, pursuant to the requirements of law.

Definitions

Suspension from school means removal of a student from on going 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, nor referral to a certificated employee designated by the principal to advise students, nor removal from the class without reassignment to another class or program for the remainder of the period, without sending the student to the principal or designee.

2. Removal from a particular class shall not occur more than once every five school days. (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)

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)
School property, for the purposes described in Education Code 48900, includes, but is not limited to, electronic files and databases. (Education Code 48900(s))

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, suspension and expulsion. Transfer students and their parents/guardians shall be notified at the time of enrollment. (Education Code 35291.5, 48900.1, 48980)

(cf. 5144 -Discipline)

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(cf. 5145.6 Parental Notifications)

Notification shall include information about the ongoing availability of individual school rules and all district policies and regulations pertaining to student discipline. (Education Code 35291)

(cf. 5145.6 -Parental Notifications)

Grounds for Suspension and Expulsion

Students may be suspended or recommended for expulsion when the Superintendent, principal, or principal's designee at the school in which the student is enrolled determines that the student has done any of the acts listed below:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense. (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However, a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code Board Policy Manual Redlands Unified School District 48900(s))

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

(cf. 5131 - Conduct)

(cf. 5131. 7 - Weapons and Dangerous Instruments)

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

(cf. 5131.6 -Alcohol and Other Drugs)

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

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

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

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

8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products with prior approval of the principal or designee. (Education Code 48900(h))

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

10. Unlawfully possessed, or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code. (Education Code 48900(j))

11. Disrupted school activities or otherwise willfully defied 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))

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

13. Possessed an imitation firearm, i.e., 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))

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

15. 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(0))

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

17. Engaged in, or attempted to engage in, hazing as defined in Education Code 32050. (Education Code 48900(q))

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

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

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

20. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 33032.5. (Education Code 48900.3)

21. 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 Glasswork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment (Education Code 48900.4)

(cf. 5145.3 -Nondiscrimination/Harassment)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent/principal or within any other school district, including but not limited to the following circumstances:

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.

The Superintendent/principal may use his/her discretion to provide alternatives to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program.

(Education Code 48900(r))

cf. 5138 -Conflict Resolution/Peer Mediation)

Alternatives to suspension or expulsion will be used against students who are truant, tardy, or otherwise absent from assigned school activities.

(cf. 5113 -Absences and Excuses)

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(cf. 5113.1 - Truancy)

Suspension from Class by a Teacher/Parental Attendance

A teacher may suspend any student from the teacher's class for any of the acts listed under "Grounds for Suspension and Expulsion" above for the day of the suspension and the day following. (Education Code 48910)

Suspension from class means the removal of a student from class by a teacher for the day of the suspension and the next day. A teacher may suspend a student from class and may also refer a student for consideration of suspension from school for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

When suspending a student from his/her class, the teacher shall immediately report this action to the principal and send the student to the principal for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been suspended.

As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the suspension. A counselor or psychologist should attend the conference if it is practicable, and a school administrator may attend if either the parent/guardian or teacher so request.

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

A student suspended from class shall not be placed in another regular class during the period of suspension. However, if a student is assigned to more than one class per day, he/she may be placed in any 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 suspended student to complete any assignments and tests missed during the suspension. (Education Code 48913)

When a teacher requires a parent/guardian to attend school in accordance with Board Policy, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is required pursuant to law. (Education Code 48900.1)

1. This notice shall also tell the parent/guardian when his/her presence is expected and by what means he/she may arrange any necessary change.

2. The notice shall describe the protections afforded to the parent/guardian as an employee by Labor Code 230.7.

3. The notice shall state that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student.

The teacher shall remind the parent/guardian to meet with the principal or designee after completing the classroom visit and before

leaving school premises.

Suspension By Superintendent, Principal Or Principal's Designee

A Superintendent, principal, or principal's designee may suspend a student from a school for any of the acts listed under "Grounds for Suspension and Expulsion" above for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

The Superintendent or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife, as defined in Education Code 48915(g), at another person.

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3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item 414 under "Grounds for Suspension and Expulsion" above.
5. Possession of an explosive as defined in 18 USC 921.

Suspension may be imposed upon a first offense if the Superintendent, principal or designee determines the student violated items (i) - (v) listed in "Grounds For Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903 and 48912)

Suspension Procedures

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the principal or designee or the Superintendent or designee between 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 and the evidence against him/her and shall be given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911(b))

This conference may be omitted if the principal, designee or the Superintendent or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or school personnel. If the pre-suspension conference is not held, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference will be held as soon as the student is physically able to return to school. (Education Code 48911(c))

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior

A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee, who in turn will inform the Board.

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 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 also state the date and time when the student may return to school.

Should school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may also add that state law requires the parent/guardian to respond to such request without delay.

4. Parent/Guardian Conference: Whenever a student is suspended, school officials may meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)
- While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such conference. The student may not be denied readmission solely because the parent/guardian failed to attend. (Education Code 48911)

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5. Extension of Suspension: If the expulsion of a suspended student is being considered by the Board, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision. (Education Code 48911(g))

Any extension of the original period of suspension shall be 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. Extension of the suspension may be made only if

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(g))

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal or Principal's 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 if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. 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 may hold closed sessions if a public hearing would lead to disclosure of information which would violate a student's right to privacy under Education Code 49073-49079.

(cf. 9321 -Closed Session Purposes and Agendas)

The Board shall provide the student with written notice of the closed session by registered or certified mail. Upon receiving this notice the student 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 shall be in closed session.

(Education Codes 48912)

Authority to Expel

A student may be expelled only by the Board. The Board shall expel, as required by law, any student found to have committed certain offenses listed below under "Mandatory Recommendation and Mandatory Expulsion."

The Board may also order a student expelled for any of the acts listed above under "Grounds for Suspension and Expulsion" upon recommendation by the principal, Superintendent, hearing officer or administrative panel, based on finding either or both of the following: (Education Code 48915(b) and (e))

1. That other means of correction are not feasible
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

Mandatory Recommendation For Expulsion

The principal, Superintendent or designee shall recommend a student's expulsion for any of the following acts, unless the principal or Superintendent or designee finds, and reports in writing to the Board, that expulsion is inappropriate due to particular circumstances which shall be set out in the report of the incident:

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife as defined in Education Code 48915(g), explosive or other dangerous object of no reasonable use to the student.

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3. Unlawful possession of any controlled substance, as listed in Health and Safety Code 11053-11058, except for the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee.

Mandatory Recommendation And Mandatory Expulsion

The principal, Superintendent or designee shall recommend that the Board expel any student found at school or at a school activity off school grounds to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48915(c).1)
2. Brandishing a knife as defined in Education Code 48915(g) at another person. (Education Code 48915(c).2)
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058. (Education Code 48915(c).3)
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above. (Education Code 48915(c).4)
5. Possessing an explosive as defined in 18 USC 921.

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

Student's Right to Expulsion Hearing

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred. (Education Code 48918(a))

The student is entitled to 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 district's discretion. (Education Code

48918(a))

If the district finds it impracticable 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))

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

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 48915.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Education Code 48915.5)

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

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

3. Have a closed hearing during the time he/she testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48915.5)

Written Notice of the Expulsion Hearing

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least ten 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. A parent/guardian of a student expelled for acts described in paragraphs through

4 of Education Code 48915(a), seeks enrollment in another district they must inform the new district of the students status with the expelling district, pursuant to Education Code 48915.1.

(cf. 5119 -Students Expelled from Other Districts)

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

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.

Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and Education Code 35145, the Board shall conduct the hearing or arrange for an alternative 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 request is made, the meeting shall be public

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to deliberate and determine if the student should be expelled. If the Board admits any other person to the closed session, the parent/guardian, the student, counsel of the student and counsel of the parent/guardian shall also be allowed to attend the closed session. (Education Code 48918(c))

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

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

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3. Presentation of Evidence: While technical rules of evidence do not apply to such hearings, 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 must be supported by substantial evidence that the student committed any of the above acts listed under "Grounds

for Suspension and Expulsion" above. Findings of fact shall be based solely on the evidence at the hearing.

While no evidence 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) and

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 Witness: The following procedures shall be observed when hearings involve allegations of sexual assault or sexual battery by a student: (Education Code 48918)

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

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

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

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

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

f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard.

Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.

g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.

(1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.

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

(3) The person conducting the hearing may:

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

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

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

6. Decision Within Ten Days: The Board's decision on whether to expel a student shall be made within ten school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

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7. Decision Within 40 Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative 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. Alternatively, the Board may 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(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified in "Conduct of Expulsion Hearing" above.

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 student shall be immediately reinstated. (See "Reinstatement" below.) The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers and with the student's parent/guardian. (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))

The hearing officer or administrative panel may recommend that the Board suspend the expulsion for a period of one year. (See "Suspension of Expulsion" below.)

The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from

school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Stipulated Expulsions

It is the policy of the Redlands Unified School District that, where approved by the Superintendent or designee, parents/guardians may agree to the expulsion of their pupil by stipulation without necessity of a hearing. This process will expedite the pupil's school placement and may expedite the rehabilitation process.

A stipulated expulsion must be purely voluntary. No district administrator or staff member may coerce a pupil, parent or guardian into entering into such a stipulation. Parents/guardians will be given three calendar days to decide on a stipulated expulsion agreement.

If the parent/guardian requests a stipulated expulsion, the Superintendent or designee will promulgate the stipulated agreement. If at any time the parent/guardian decides not to pursue a stipulated agreement, the expulsion proceedings and timelines, extended by the length of the period for consideration of the stipulation, will be reinstated. The stipulated agreement will be presented to the Board for final consideration.

The stipulated agreement will include the terms and conditions of the expulsion order, including alternative placement and a rehabilitation plan to be completed before the student can be re-admitted to the district.

Final Action by the Board

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel, the final action to expel must be taken by the Board at a public meeting. (Education Code 489180)) The Board shall maintain a record of each expulsion, including its cause. Expulsion records shall be non- privileged, disclosable public records.

(cf. 9321.1 - Closed Session Actions and Reports)

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If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

Upon ordering the 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 an act listed under "Mandatory Recommendation and Mandatory Expulsion" above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. (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 of the student at the time of review for readmission.

2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service and other rehabilitative programs.

3. Such other recommendations as the Board approves.

With parental 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)

Upon expulsion, a copy of readmission procedures will be made available to the student and his/her parent/guardian.

Written Notice to Expel

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

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed in Education Code 48900(a)-(o), Education Code 48900.2-48900.4 and Education Code 48915(c). (Education Code 48900.8)

2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian. (Education Code 48916)

3. Notice of the right to appeal such expulsion to the County Board of Education. (Education Code 48918)

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

5. The notice also shall inform the student or parent/guardian of his/her 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)

Suspension of Expulsion

The Board, upon voting to expel a student, may suspend the enforcement of the expulsion order for not more than one calendar year. When deciding whether to suspend an expulsion, the Board shall take into account the following criteria:

1. The student's previous behavior.

2. The seriousness of the misconduct.

3. The student's attitude toward the misconduct and his/her willingness to follow a rehabilitation program.

The suspension of the enforcement of an expulsion shall be governed by the following: (Education Code 48917)

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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.
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status.
3. The suspension of expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion" above or violates any of the district's rules and regulations governing student conduct.
4. When suspension of expulsion order is revoked, a student may be expelled under the terms of the original expulsion order
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expungement of any or all records of the expulsion proceedings.
6. Suspension 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 of Education.
7. 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 also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education. (Education Code 48918(i))

Right to Appeal

The student or parent/guardian is entitled to file an appeal of the Board's decision to the County Board of Education.

The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion action is suspended and the student is placed on probation. (Education Code 48919)

Post-Expulsion Placements

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

(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for acts described in items #6 through # 13 and # 17 through # 19 under "Grounds for Suspension and Expulsion" above may be instead referred to a program of study that is provided at another comprehensive middle, junior, or senior high school, or at an elementary school.

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)

Reinstatement

When the Board accepts a recommendation against expulsion or makes its own decision after the hearing not to expel, the decision is final and the student shall be reinstated immediately. The Superintendent or designee shall place the student in any classroom program, other instructional program, rehabilitation program, or any combination of such programs following consultation with district personnel, including the teacher involved, and with the student's parent/guardian. (Education Code 48918(e))

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Readmission

An expulsion order shall remain in effect until the Board may order the readmission of the student.

Readmission procedures shall be as follows:

1. A written request for review of expulsion action and request for readmission shall be submitted by the parent/guardian to the Superintendent or designee.
2. The Superintendent or designee will hold a conference with the parent/guardian and the student.
3. At the conference the conditions for readmission will be reviewed. The Superintendent or designee shall verify that the rehabilitation plan has been met.
4. School regulations will be reviewed and the student and parent/guardian will be asked to indicate in writing their willingness to comply with these regulations.
5. The Superintendent or designee will transmit the request for readmission to the Board, along with his/her recommendation. The Board shall consider the request in closed session if the information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it will be honored.
6. The Superintendent or designee will notify the student or parent/guardian, by registered mail, of the district's decision regarding readmission.
7. 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)
8. 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. (Education Code 48916)

9. 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)

Maintenance of Records

The Board will maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls, within five days of a written request by the admitting school. (Education Code 48900.8, 48918(k))

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

cf. 5119 - Students Expelled from Other Districts)

(cf. 5125 - Student Records)

Notifications and Reports

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

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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 also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

Outcome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion.
2. The specific grounds for each recommended expulsion.
3. Whether the student was subsequently expelled.
4. Whether the expulsion order was suspended.
5. The type of referral made after the expulsion.
6. The disposition of the student after the end of the expulsion period.

Suspension and Expulsion/Due Process

Redlands Unified

Administrative Regulation

AR 51441

Adopted June 27, 1995

Students

Definitions

Suspension from school 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. Removal from a particular class shall not occur more than once every five school days.

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

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian or legal counsel. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be

designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

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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, suspension and expulsion. Transfer students and their parents/guardians shall be notified at the time of enrollment. (Education Code 35291.5, 48900.1, 48980)

(cf. 5144 - Discipline)

Notification shall include information about the ongoing availability of individual school rules and all district policies and regulations pertaining to student discipline. (Education Code 35291)

(cf. 5145.6 - Parental Notifications)

Grounds for Suspension and Expulsion

A student may be subject to suspension or expulsion when it is determined that he/she:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense. (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aide or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code 48900(s))

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

(cf. 5131 - Conduct)

(cf. 5131.7 - Weapons and Dangerous Instruments)

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

(cf. 5131.6 - Alcohol and Other Drugs)

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

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

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

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

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

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

10. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5. (Education Code 48900(j))

11. Disrupted school activities or otherwise willfully defied 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))

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

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13. Possessed an imitation firearm, i.e., 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))

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

15. 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))

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

Pursuant to Education Code 48900.7, the making of a terrorist threat includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person or property damage in excess of \$1,000.00, 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.

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

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

Pursuant to Education Code 48900.2 the conduct constitutes harassment when considered from the perspective of a reasonable person of the same gender as the victim to be 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.

(cf. 5145.7 - Sexual Harassment)

18. 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)

(cf. 5145.9 - Hate-Motivated Behavior)

Education Code 233 defines "hate violence" as any act punishable under Penal Code 422.6, 442.7 or 422.75. Such acts include injuring or intimidating another person, interfering with the exercise of a person's civil rights, or damaging a person's property because of the person's race, color, religion, ancestry, national origin, disability, gender or sexual orientation.

19. Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading student rights by creating an intimidating or hostile educational environment. (Education Code 48900.4)

(cf. 5145.3 - Nondiscrimination/Harassment)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent or principal or within any other school district, including but not limited to the following circumstances: (Education Code 48900)

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.

The Superintendent or principal may use his/her discretion to provide alternative to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program.

(Education Code 48900(r))

Alternatives to suspension or expulsion will be used with students who are truant, tardy, or otherwise absent from assigned school activities.

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Truancy)

Removal from Class by a Teacher/Parental Attendance

A teacher may suspend any student from his/her class for the remainder of the day and the following day for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

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A teacher also may refer a student to the principal or designee for consideration of suspension from school. (Education Code 48910)

When removing a student from his/her class, the teacher shall immediately report this action to the principal and send the student to the principal for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been removed.

As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the removal. A counselor or psychologist should attend the conference if it is practicable, and a school administrator may attend if either the parent/guardian or teacher so requests.

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

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

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

Pursuant to Board policy, a teacher may provide that the parent/guardian of a student whom the teacher has removed attend a portion of a school day in his/her child's classroom. When a teacher makes this request, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is requested pursuant to law. (Education Code 48900.1)

This notice shall also:

1. Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternate date.
2. Describe the legal protections afforded to the parent/guardian as an employee under Labor Code 230.7.
3. State that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student.
4. Ask the parent/guardian to meet with the principal after the visit and before leaving school, as required by Education Code

48900.1.

Suspension by Superintendent, Principal or Principal's Designee

The Superintendent, principal or principal's designee may suspend a student from a school for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

The Superintendent or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife, as defined in Education Code 48915(g), at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion".
5. Possession of an explosive as defined in 18 USC 921.

Suspension also may be imposed upon a first offense if the Superintendent, principal or designee determines the student violated items #1-5 listed in "Grounds for Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903, 48912)

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The Superintendent or designee may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which a student may be suspended in any school year. (Education Code 48903)

Suspensions shall be initiated according to the following procedures:

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the principal, designee or the Superintendent 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 and the evidence against him/her; the student shall be given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911(b))

This conference may be omitted if the principal, designee or the Superintendent determines that an emergency situation exists. An "emergency situation" involves 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 a conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference will be held as soon as the student is physically able to return to school. (Education Code 48911(c))

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee.

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 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 also state the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may add that state law requires the parent/guardian to respond to such requests without delay.

4. Parent/Guardian Conference: Whenever a student is suspended, school officials may meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914) While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such conference. The student may not be denied readmission solely because the parent/guardian failed to attend. (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. (Education Code 48911(g))

Any extension of the original period of suspension shall be 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. Extension of the suspension may be made only if

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)

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal or Principal's Designee" above. (Education Code 48912)

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The Board may suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. 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 closed sessions if a public hearing would lead to disclosure of information violating a student's right privacy under Education Code 49073-49079.

(cf. 9321 - Closed Session Purposes and Agendas)

The Board shall provide the student and his/her parent/guardian with written notice of the closed session by or certified mail. 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 Codes 35146, 48912)

On-Campus Suspension Program

Students for whom an expulsion action has not been initiated and who pose no imminent danger or threat to the school may be assigned to a separate, supervised suspension classroom for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

1. The supervised suspension classroom shall be staffed in accordance with law.
2. The student shall have access to appropriate counseling services.
3. The supervised suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.
4. Each student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom. The teacher 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 a supervised 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 shall be made in writing. (Education Code 48911.1)

Authority to Expel

A student may be expelled only by the Board. The Board shall expel, as required by law, any student found to have committed certain offenses listed below under "Mandatory Recommendation and Mandatory Expulsion."

The Board also may order a student expelled for any of the acts listed under "Grounds for Suspension and Expulsion" upon recommendation by the principal, Superintendent, hearing officer or administrative panel, based on finding 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.

Mandatory Recommendation for Expulsion

Unless the principal, Superintendent or designee finds that expulsion is inappropriate due to particular circumstances, the principal, Superintendent or designee shall recommend a student's expulsion for any of the following acts: (Education Code 48915 (a))

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife as defined in Education Code 48915(g), explosive or other dangerous object of no reasonable use to the student.
3. Unlawful possession of any controlled substance, as listed in the Health and Safety Code 11053-11058, except for the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee.

Mandatory Recommendation and Mandatory Expulsion

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Note: The Attorney General has determined, in 80 Ops.Cal. Atty. Gen. 347 (1997), that a district may not adopt a zero tolerance policy mandating expulsion of a student for a first offense of possession of a controlled substance or alcohol.

The principal, Superintendent or designee shall recommend that the Board expel any student found at school or at a school activity

to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife as defined in Education Code 48915(g) at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above.
5. Possessing an explosive as defined in 18 USC 921.

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

The initial recommendation for consideration of expulsion is that of the school principal or the Superintendent. Designees may not make this type of recommendation.

The recommendation for consideration of expulsion shall be submitted to the Director, Office of Student Services, who will review the material and recommend:

1. Reassignment to appropriate regular education program.
2. Refer student to Alternative Program; i.e., Community School, Independent Study, Continuation or Opportunity School, or other district programs.
3. Refer the matter to the Discipline Review Panel for further consideration.

When a case is referred to the discipline Review Panel, the panel shall question school personnel who have information on the incident and the behavior record of the student charged and weighs the evidence presented.

The panel shall, in the case of an expulsion consideration, weigh information presented to determine:

- a. Is the evidence sufficient to support consideration by the expulsion panel?
- b. Has the district, through the schools involved, considered or utilized alternatives to expulsion when possible?
- c. Have due process procedures been adhered to?

The recommendation shall be either to proceed with the expulsion or to utilize an existing practical alternative in lieu of expulsion. If the district (school) has not adhered to due process requirements, the student shall be returned to school immediately.

If the Discipline Review Panel meets to consider a matter other than an expulsion, it shall provide its best judgment as to an effective alternative program or plan to action.

The recommendation of the Discipline Review Panel shall be forwarded to the Director, Office of Student Services, who shall then review the facts, concur, veto or modify the recommendation.

4. That an expulsion panel be convened.

At the time a recommendation for expulsion is submitted, a hearing shall be scheduled by the Superintendent or designee to determine whether the suspension shall be extended. If the decision is to extend the suspension, the period of time shall be until the Board has rendered a decision or until the expulsion process is otherwise terminated.

The extension of suspension shall be based upon determination by the Superintendent or designee that the presence of the student at the school or in an alternative school placement would cause a danger to persons or property or a threat of disrupting the instructional process. This extension shall be imposed only after the student and the parent/guardian have been given the opportunity to be present at a hearing conducted by the Superintendent or designee. At this time, the student and parent/guardian shall be given the opportunity to be heard and present any information that might bear upon the decision.

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Materials which support the decision of the person recommending the expulsion shall be prepared and submitted to the Office of Student Services. The departments of Attendance, Guidance, Special Education and/or Health may be requested to assist in the preparation of this material.

Student's Right to Expulsion Hearing

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred. (Education Code 48918 (a))

The student is entitled to 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 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 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 no 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))

Waiver of Hearing (Default Proceedings)

If the parent/guardian agrees that their son/daughter behaved essentially in the manner stated in the principals letter recommending expulsion and that such behavior constitutes a violation of the California Education Code, Section 48900, 48900.2, 48900.3, 48900.4, 48900.7 and/or 48915 a suspendable/expellable offense, the parent/guardian may request to waive the Administrative Hearing Panel.

When the parent/guardian agrees to waive the Administrative Hearing Panel, they also waive all notification and timelines related to the expulsion hearing process, along with their rights to appeal the determination of the Board.

The signed affidavit and findings of fact will be submitted to the Board for their approval. The Board has the discretionary power to accept, reject, or modify all recommendations.

Rights of Complaining Witness

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

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

1. Receive five days' notice of his/her scheduled testimony at the hearing.
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies.
3. Have a closed hearing during the time he/she testifies.

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

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Written Notice of the Expulsion Hearing (Education Code 48918(b))

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

1. The date and place of the hearing.
2. A statement of the specific facts, charges and offense upon which the proposed expulsion is based.
3. A copy of district disciplinary rules which relate to the alleged violation.
4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment. This obligation applies when a student is expelled for acts other than those described in Education Code 48915 (a) or (c).
(cf. 5119 - Students Expelled from other Districts)

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

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

Non-attorney advisor 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.

Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and 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 request is made, the meeting shall be public, unless another student's privacy rights would be violated.

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to determine if the student should be expelled. If the Board admits any other person to the closed session, the parent/guardian, the student, and the counsel of the student, shall also be allowed to attend the closed session. (Education Code 48918(c))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to have his/her testimony heard in closed session when testifying in public would threaten serious psychological harm to

the witness and when there are no alternative procedures to avoid the threatened harm, including but not limited to videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

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

3. Subpoenas: Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with the Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20, formerly 11525. (Education Code 48918(i))

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

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

4. Presentation of Evidence: While technical rules of evidence do not apply to expulsion hearings, 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 must be supported by substantial evidence that the student committed any of the acts listed in "Grounds for Suspension and Expulsion" above.

Findings of fact shall be based solely on the evidence at the hearing. While no evidence 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) and (h))

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

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

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

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

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

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

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

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

g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.

(1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.

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

(3) The person conducting the hearing may:

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

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

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

6. Decision Within 10 Days: The Board's decision on whether to expel a student shall be made within 10 school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

7. Decision Within 40 Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made

within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

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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. Alternatively, the Board may 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(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified in "Conduct of Expulsion Hearing."

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 student shall be immediately reinstated. (See "Reinstatement.") The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers, and with the student's parent/guardian. (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 for a period of one year. (See "Decision Not to Enforce Expulsion Order" below.)

The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

The Discipline Review Panel

The Discipline Review Panel will consist of elementary educators when a review is being made of an elementary student and of secondary educators when a review is being made of secondary student.

1. The Discipline Review Panel shall hear the following types of disciplinary cases:

a. Requests for expulsion from site principals or the Superintendent.

b. School site administrative requests for assistance (non-expulsion situations).

2. Each discipline review panel shall consist of three certificated persons plus a chairperson and shall consist of elementary educators when a review is being made of an elementary student and of secondary educators when a review is being made of a secondary student. A panelist may not serve on any panel involving a student who is currently attending the school in which he/she is assigned. A representative from Student Services shall be a nonvoting member of each panel.

A chairperson and assistant chairperson, to serve when the chairperson is unable to serve, shall be appointed by the Superintendent or designee and shall serve at his/her pleasure. Neither shall be a member of the Student Services staff.

A pool of panelists shall be established which shall be composed of personnel who have served or are currently serving as members of administrative expulsion panels. The committee chairman shall select members to serve on individual panels.

The meetings of the discipline review panel are open to school district personnel only.

The duties of the Discipline Review Panel are as follows:

1. The chairperson shall call a meeting of the panel as soon as possible, but no later than 10 school days after the receipt of notice of a pending case.

2. A recommendation must be forwarded to the Director, Office of Student Services, within three days of the review hearing.

3. In the event a member of the committee cannot be present at a meeting, the Director, Office of Student Services, will appoint an alternate from the pool to attend.

Final Action by the Board

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

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(cf. 9321.1 - Closed Session Actions and Reports)

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

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 an act listed under "Mandatory Recommendation and Mandatory Expulsion" above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. (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 of the student at the time of review for readmission.
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service and other rehabilitative programs.

With parental 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 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 in Education Code 48900 (a)-(o), Education Code 48900.2-48900.4, Education Code 48915 (c) and (Education Code 48900.8).
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian. (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Governing Board. (Education Code 48918)
4. Notice of the alternative educational placements 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 Not to Enforce Expulsion Order

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

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

The suspension of the enforcement of an expulsion shall be governed by the following: (Education Code 48917)

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.
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status.
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" above or violates any of the district's rules and regulations governing student conduct.
4. When the suspension of the enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order.
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings.
6. 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 County Board of Education.

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7. 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 also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education. (Education Code 48918 (j))

Right to Appeal

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

Post-Expulsion Placements

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 such a site.
 3. Not housed at the school site attended by the student at the time of suspension.
- (cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students

expelled for acts described in items #6 through #13 and #17 through #19 under “Grounds for Suspension and Expulsion” may be instead 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

Readmission procedures shall be as follows:

1. On the date set by the Board when it ordered the expulsion, the district shall consider readmission of the student. (Education Code 48916)

2. 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.

3. The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session if information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it shall be honored.

4. 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.

5. 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)

6. 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. (Education Code 48916)

7. 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)

Maintenance of Records

The Board shall maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student’s mandatory interim record and sent to any school in which the student subsequently enrolls, within five days of a written request by the admitting school. (Education Code 48900.8, 48918(k))

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

(cf. 5119 - Students Expelled from Other Districts)

(cf. 5125 - Student Records)

Notifications 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 also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

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

Outcome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion.
2. The grounds for each recommended expulsion.
3. Whether the student was subsequently expelled.
4. Whether the expulsion order was suspended.
5. The type of referral made after the expulsion.
6. The disposition of the student after the end of the expulsion period.

Regulation: REDLANDS UNIFIED SCHOOL DISTRICT

Approved: June 27, 1995, Redlands, California

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

Teachers are notified at the beginning of each school year if they have a child in their new class roster that was suspended the previous school year. Teachers are given the opportunity to request to view those records

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

Policy 4119.11: Sex Discrimination and Sex-Based Harassment

The Governing Board is committed to providing a safe work environment that is free of harassment and intimidation. The Board prohibits sexual harassment against district employees by anyone, in any manner, and prohibits retaliatory action or behavior against any persons who complains, testifies, or otherwise participates in the complaint process established pursuant to this policy and accompanying administrative regulation. This policy shall apply to all district employees, interns, volunteers, contractors, job applicants, and other persons with an employment relationship with the district.

(cf. 0410 - Nondiscrimination in District Programs and Activities) (cf. 4030 - Nondiscrimination in Employment)

Sexual harassment includes, but is not limited to, harassment that is based on the sex, gender, gender identity, gender expression, or sexual orientation of the victim and harassment based on pregnancy, childbirth, or related medical conditions.

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation, and correction of sexual harassment, including but not limited to:

1. Providing training to all staff in accordance with law and administrative regulation.
2. Publicizing and disseminating the district's sexual harassment policy to staff.
3. Ensuring prompt, thorough, equitable, and fair investigation of complaints
4. Taking timely and appropriate corrective/remedial actions which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments.

The Superintendent or designee shall periodically evaluate the effectiveness of the district's strategies to prevent and address harassment. Such evaluation may involve conducting regular anonymous employee surveys to assess whether harassment is occurring or is perceived to be tolerated, partnering with researchers or other agencies with the needed expertise to evaluate the district's prevention strategies, and using any other effective tool for receiving feedback on systems and/or processes. As necessary, changes shall be made to the harassment policy, complaint procedures, or training.

Sexual Harassment Reports and Complaints

Any district employee who feels that he/she has been sexually harassed in the performance of their district responsibilities or who has knowledge of any incident of sexual harassment by or against another employee shall immediately report the incident to his/her supervisor, the principal, other district administrator, or the district's Title IX Coordinator. However, an employee may bypass his/her supervisor in filing a complaint if the supervisor is the subject of the complaint. A supervisor, principal, or district administrator who receives a harassment complaint shall promptly notify the Title IX Coordinator.

Once notified, the Title IX Coordinator shall ensure the complaint or allegation is addressed through AR 4119.12/4219.12/4319.12 – Title IX Sexual Harassment Complaint Procedures or AR 4030- Nondiscrimination in Employment, as applicable. Because a complaint or allegation that is dismissed or denied under the Title IX complaint procedure may still be subject to consideration under state law, the Title IX Coordinator shall ensure that any implementation of AR 4119.12/4219.12/4319.12 concurrently meets the requirements of AR 4030.

Notwithstanding the above, BP/AR 4119.12/4219.12/4319.12 and 4030 shall under no circumstances be used to resolve complaints brought by, on behalf of, or against students. All complaints brought by, on behalf of, or against students that allege “sexual harassment” as that term is defined in the federal regulations implementing Title IX of the Education Amendments of 1972 (see 34 C.F.R. § 106, et seq.) shall be investigated and resolved under BP/AR 5145.71. All complaints brought by, on behalf of, or against students that do not meet the definition of “sexual harassment” as set forth in the Title IX implementing regulations shall be investigated and resolved under BP/AR 1312.3.

(cf. 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaints)

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

Upon investigation of a sexual harassment complaint, any district employee who engages, or participates in sexual harassment, or who aids, abets, incites, compels, or coerces another to commit sexual harassment in violation of this policy is subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Reports) (cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4218 -

Dismissal/Suspension/Disciplinary Action)

Regulation 4119.12: Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures

The complaint procedures described in this administrative regulation shall be used to address any complaint governed by Title IX of the Education Amendments of 1972 alleging that a district employee, while in an education program or activity in which a district school exercises substantial control over the context and respondent, was subjected to one or more of the following forms of sexual harassment: (34 CFR 106.30, 106.44)

1. A district employee conditioning the provision of a district aid, benefit, or service on a person's participation in unwelcome sexual conduct
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291 (cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

All other sexual harassment complaints or allegations shall be investigated and resolved in accordance with AR 4030

- Nondiscrimination in Employment. The determination of whether the allegations meet the definition of sexual harassment under Title IX shall be made by the district's Title IX Coordinator.

(cf. 4030 - Nondiscrimination in Employment)

Because the complainant has a right to pursue a complaint under AR 4030 for any allegation that is dismissed or denied under the Title IX complaint procedure, the Title IX Coordinator shall ensure that all requirements and timelines for AR 4030 are concurrently met while implementing the Title IX procedure.

Reporting Allegations/Filing a Formal Complaint

An employee who is the alleged victim of sexual harassment may submit a report of sexual harassment to the district's Title IX Coordinator using the contact information listed in AR 4119.11/4219.11/4319.11 - Sexual Harassment or to the employee's direct supervisor or other district administrator, who shall forward the report to the Title IX Coordinator within one day of receiving the report. Upon receiving such a report, the Title IX Coordinator shall inform the complainant of the right to file a formal complaint and the process for filing a formal complaint.

A formal complaint, with the complainant's physical or digital signature, may be filed with the Title IX Coordinator in person, by mail, by email, or by any other method authorized by the district. (34 CFR 106.30)

Even if the alleged victim chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations when a safety threat exists. In addition, the Title IX Coordinator may file a formal complaint in other situations as permitted under the Title IX regulations, including as part of the district's obligation to not be deliberately indifferent to known allegations of sexual harassment. In such cases, the Title IX Coordinator shall provide the alleged victim notices as required by the Title IX regulations at specific points in the complaint process.

The Title IX Coordinator, investigator, decision-maker, or a facilitator of an informal resolution process shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. Such persons shall receive training in accordance with 34 CFR 106.45. (34 CFR 106.45)

Supportive Measures

Upon receipt of a report of Title IX sexual harassment, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures and shall consider the complainant's wishes with respect to the supportive measures implemented. Supportive measures shall be offered as appropriate, as reasonably available, and without charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures shall be nondisciplinary, nonpunitive, and not unreasonably burden the other party, including measures designed to protect the safety of all parties or the district's educational environment or to deter sexual harassment. Supportive measures may include, but are not limited to, counseling, extensions of deadlines, modifications of work schedules, mutual restrictions on contact, changes in work locations, leaves of absence, increased security, and monitoring of certain areas of the campus. (34 CFR 106.30, 106.44)

The district shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the district's ability to provide the supportive measures. (34 CFR 106.30)

Emergency Removal

If a district employee is the respondent, the employee may be placed on administrative leave during the pendency of the formal complaint process. (34 CFR 106.44)

If the respondent is a student, the district may, on an emergency basis, remove the student from the district's education program or activity, provided that the district conducts an individualized safety and risk analysis, determines that removal is justified due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations, and provides the student with notice and an opportunity to challenge the decision immediately following the removal. This authority to remove a student does not modify a student's rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973. (34 CFR 106.44)

Dismissal of Complaint

The Title IX Coordinator shall dismiss a formal complaint if the alleged conduct would not constitute sexual harassment as defined in

34 CFR 106.30 even if proved. The Title IX Coordinator shall also dismiss any complaint in which the alleged conduct did not occur in the district's education program or activity or did not occur against a person in the United States, and may dismiss a formal complaint if the complainant notifies the district in writing that the complainant would like to withdraw the complaint or any allegations in the complaint, the respondent is no longer employed by the district, or sufficient circumstances prevent the district from gathering evidence sufficient to reach a determination with regard to the complaint. (34 CFR 106.45)

Upon dismissal, the Title IX Coordinator shall promptly send written notice of the dismissal and the reasons for the dismissal simultaneously to the parties and shall inform them of their right to appeal the dismissal of a formal complaint or any allegation in the complaint in accordance with the appeal procedures described in the section "Appeals" below. (34 CFR 106.45)

If a complaint is dismissed, the conduct may still be addressed pursuant to AR 4030 - Nondiscrimination in Employment as applicable.

Informal Resolution Process

When a formal complaint of sexual harassment is filed, the district may offer an informal resolution process, such as mediation, at any time prior to reaching a determination regarding responsibility. The district shall not require a party to participate in the informal resolution process or to waive the right to an investigation and adjudication of a formal complaint. (34 CFR 106.45)

The district may facilitate an informal resolution process provided that the district: (34 CFR 106.45)

1. Provides the parties with written notice disclosing the allegations, the requirements of the informal resolution process, the right to withdraw from the informal process and resume the formal complaint process, and any consequences resulting from participating in the informal resolution process, including that records will be maintained or could be shared.
2. Obtains the parties' voluntary, written consent to the informal resolution process

Written Notice

If a formal complaint is filed, the Title IX Coordinator shall provide the known parties with written notice of the following: (34 CFR 106.45)

1. The district's complaint process, including any informal resolution process
2. The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known. Such notice shall be provided with sufficient time for the parties to prepare a response before any initial interview. If, during the course of the investigation, new Title IX allegations arise about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.
3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process
4. The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an attorney, and the ability to inspect and review evidence
5. The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process

The above notice shall also include the name of the investigator, facilitator of an informal process, and decision-maker and shall inform the parties that, if at any time a party has concerns regarding conflict of interest or bias regarding any of these persons, the party should immediately notify the Title IX Coordinator.

Investigation Procedures

During the investigation process, the district's designated investigator shall: (34 CFR 106.45)

1. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and

exculpatory evidence

2. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence
3. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney
4. Not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding, although the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as the restrictions apply equally to both parties
5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate
6. Send in an electronic format or hard copy to both parties and their advisors, if any, the evidence obtained as part of the investigation that is directly related to the allegations raised in the complaint, and provide the parties at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report
7. Objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and determine credibility in a manner that is not based on a person's status as a complainant, respondent, or witness
8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review and written response

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. (34 CFR 106.45)

Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.

If the complaint is against an employee, rights conferred under an applicable collective bargaining agreement shall be applied to the extent they do not conflict with the Title IX requirements.

Written Decision

The Superintendent shall designate an employee as the decision-maker to determine responsibility for the alleged conduct, who shall not be the Title IX Coordinator or a person involved in the investigation of the matter. (34 CFR 106.45)

After the investigative report has been sent to the parties but before reaching a determination regarding responsibility, the decision-maker shall afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party.

The decision-maker shall issue, and simultaneously provide to both parties, a written decision as to whether the respondent is responsible for the alleged conduct. (34 CFR 106.45)

The written decision shall be issued within 60 calendar days of the receipt of the complaint.

The timeline may be temporarily extended for good cause with written notice to the complainant and respondent of the extension and the reasons for the action. (34 CFR 106.45)

In making this determination, the decision-maker shall use the "preponderance of the evidence" standard for all formal complaints of sexual harassment. (34 CFR 106.45)

The written decision shall include the following: (34 CFR 106.45)

1. Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR 106.30

2. A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the district includes hearings as part of the grievance process
3. Findings of fact supporting the determination
4. Conclusions regarding the application of the district's code of conduct or policies to the facts
5. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's educational program or activity will be provided by the district to the complainant
6. The district's procedures and permissible bases for the complainant and respondent to appeal

Appeals

Either party may appeal the district's decision or dismissal of a formal complaint or any allegation in the complaint, if the party believes that a procedural irregularity affected the outcome, new evidence is available that could affect the outcome, or a conflict of interest or bias by the Title IX Coordinator, investigator(s), or decision-maker(s) affected the outcome. If an appeal is filed, the district shall: (34 CFR 106.45)

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties
2. Ensure that the decision-maker(s) for the appeal is trained in accordance with 34 CFR 106.45 and is not the same decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator
3. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome
4. Issue a written decision describing the result of the appeal and the rationale for the result
5. Provide the written decision simultaneously to both parties

An appeal must be filed in writing within 10 calendar days of receiving the notice of the decision or dismissal, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered.

A written decision shall be provided to the parties within 20 calendar days from the receipt of the appeal.

Either party has the right to file a complaint with the U.S. Department of Education's Office for Civil Rights within 180 days of the date of the most recently alleged misconduct.

The complainant shall be advised of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal antidiscrimination laws, if applicable.

Remedies

When a determination of responsibility for sexual harassment has been made against the respondent, the district shall provide remedies to the complainant. Such remedies may include the same individualized services described above in the section "Supportive Measures," but need not be nondisciplinary or nonpunitive and need not avoid burdening the respondent. (34 CFR 106.45)

Disciplinary Actions

The district shall not impose any disciplinary sanctions or other actions against a respondent, other than supportive measures as described above in the section "Supportive Measures," until the complaint procedure has been completed and a determination of responsibility has been made. (34 CFR 106.44)

When an employee is found to have committed sexual harassment or retaliation, the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.
(cf. 4117.7/4317.7 - Employment Status Report)
(cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4119.11/4219.11/4319.11 - Sexual Harassment) (cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Record-Keeping

The Superintendent or designee shall maintain, for a period of seven years: (34 CFR 106.45)

1. A record of all reported cases and Title IX investigations of sexual harassment, any determinations of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary sanctions imposed, any remedies provided to the complainant, and any appeal or informal resolution and the results therefrom.
2. A record of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment, including the district's basis for its conclusion that its response was not deliberately indifferent, the measures taken that were designed to restore or preserve equal access to the education program or activity, and, if no supportive measures were provided to the complainant, the reasons that such a response was not unreasonable in light of the known circumstances.
3. All materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process. The district shall make such training materials publicly available on its web site, or if the district does not maintain a web site, available upon request by members of the public.

(cf. 1113 - District and School Web Sites) (cf. 3580 - District Records)

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

Policy 5132.16: Student Dress Guidelines

The Governing Board believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Students' clothing must not present a health or safety hazard or a distraction which would interfere with the educational process.

Students and parents/guardians shall be informed about dress and grooming standards at the beginning of the school year and whenever these standards are revised. A student who violates these standards shall be subject to appropriate 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 dress code may be included as part of the school safety plan and must be presented to the Board for approval. The Board shall approve the plan upon determining that it is necessary to protect the health and safety of the school's students.

Uniforms

The Board recognizes that, in order to promote student safety and discourage peer rivalry and/or gang activity, the principal, staff and parent/guardian at a school site may wish to establish a reasonable dress code, which may include voluntary school uniforms.

Dress codes, which include voluntary school uniforms, may be included as part of the school safety plan submitted as required.

The Superintendent or designee shall establish procedures that schools, parents and guardians will follow if they decide to participate with the voluntary school uniform policy. Students shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardian decide not to participate.

The Governing Board feels that there is nothing inherently wrong with dress or color of dress, but when student's dress serves to intimidate or impede the rights of other students it will be determined that dress is in violation of this policy. A student may not remain at school dressed in a manner which (1) creates a safety hazard for said student or for other students at school, and/or (2) when the dress constitutes a serious and unnecessary distraction to the learning process or tends to disrupt campus order

When the site administrator/designee determines that a student's attire is in violation of this policy, the student will be required to modify his/her clothing and/or apparel in such a manner that it no longer violates this policy. If necessary, the student may be taken or sent home with parental permission to modify unacceptable dress and return to school. Refusal to take steps as described in this policy shall be cause for disciplinary action against the student. Any such disciplinary action shall be handled pursuant to existing student disciplinary policy

Parents/guardians have primary responsibility to see that students are properly attired for school. School district personnel have the responsibility for maintaining proper and appropriate conditions conducive to learning. Hence, the following guidelines will be implemented in all district schools.

1. Shoes will be worn at all times. A substantial sole is required and enclosed toe and heel footwear are highly encouraged.
2. Extremely brief garments that are distracting to the educational environment are not appropriate. Clothing shall be sufficient to conceal undergarments at all times.
3. Clothing or accessories shall be free of writing, pictures or any other insignia which are crude, violent, obscene or sexually suggestive or which advocate racial, ethnic or religious prejudice or the use of tobacco, drugs or alcohol.
4. Earrings, jewelry, or accessories which present a safety hazard to the wearer or others are not suitable for school wear.
5. Only prescription sunglasses may be worn in class. Other types of sunglasses may be worn on campus outside of class.
6. Identified gang attire such as bandannas, haircuts or hair rollers, or any gang paraphernalia are prohibited.

Students are allowed to wear sun protective clothing, including hats, while outdoors during the school day. Each school site will develop a policy indicating the type of sun protective hats that are permitted.

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

The purpose of adopting these Student Dress Guidelines is not to infringe on any individual student's rights to freedom of expression, but rather to encourage students to dress appropriately and come to school properly prepared for participating in the educational process.

Gang-Related Apparel

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed as needed and updated as necessary.

Uniforms

In schools where a majority of parents respond and indicate on a survey that they desire to establish a voluntary school-wide uniform dress code, the principal, staff and the parents/guardians of the individual school site shall:

1. Jointly select the specific uniform to be worn. (Education Code 35183)
2. Describe the uniform parts and identify local vendors who sell those pieces of clothing. A description of the implementation of the voluntary uniform dress code will be submitted to the superintendent's designee including:
 - a. The process for parent notification
 - b. Positive procedures that will be used to encourage students to participate with the voluntary uniform dress code
3. A description of the uniform and a list of costs for each competitively priced item of clothing as provided by a variety of vendors will be sent to parents.
4. Parents will be notified that this is a voluntary uniform dress code and that students not participating shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardians so decide.

Parent Notification

The principal shall give parents/guardian at least six months notice before a school site implements a voluntary school uniform dress code. (Education Code 35183)

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

School gates open at 7:45 AM for arrival, and the same gates open again at 1:50 PM for dismissal (and 12:15 PM for early release days). During arrival and dismissal there are three points of entry. Each point of entry has a staff member and/or a school administrator. Adults who do not have an official district ID visible on their person, will be directed to check in at the office. Once the final bell rings, the gates are locked. If a student is late, they must then go through the single point of entry in the office.

During the school day Bryn Mawr has a single point of entry through the office which includes checking in with office staff and providing government ID to be scanned through the Raptor system. Adults must have a scheduled purpose to be on campus and must go directly to the activity/classroom and return to the office when finished. Adult visitors wear a Visitor badge that clearly shows all staff members that they have been cleared through the office.

After school, the students in the Exploratory Experience Program (ASES/ELOP) gather at the cafeteria tables and check in with a teacher or a teacher lead. There are scheduled pick up times for parents/guardians (3:30, 4:45, and 5:45) and the adult must sign their child out. The gates are locked and the students must exit through the office, which is the single point of entry/exit.

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

Component:

Physical Environment

The Schools' Location and Physical Environment

Bryn Mawr Elementary School is located in the Loma Linda area of San Bernardino County that has a crime rate lower than the California and National average. 9.1% of the population in Loma Linda live in poverty. The immediate area around the school includes both single family and multi-family residential housing. Present safety hazards include two crosswalks, one on Whittier Avenue, and another at the corner of Whittier Avenue and George Street.

Description of School Grounds

The school site encompasses 5 acres. The grounds consist of a large grass field and baseball diamond, concrete walkways and an asphalt play area, which includes a basketball court. There are several wings and/or clusters of classrooms including 23 classrooms 11 re-locatable classrooms. Other ancillary structures include a multi-purpose building, library, STEAM lab, and the administration building.

During the school day, staff members and administrators shall provide campus supervision. Identified problem areas receive increased supervision to reduce discipline, crime, or other school safety concerns.

It shall be the practice of Bryn Mawr Elementary School to remove all graffiti from school property before pupils arrive to begin their school day. Other acts of vandalism are promptly addressed.

Maintenance of School Buildings/Classrooms

The school's physical facility is well maintained and generally looks neat and clean. The school was most recently painted in 2017. Administrators complete daily safety walks, which are recorded in the Progress Adviser app. They examine the school's physical facility, report any issues to be repaired and help eliminate obstacles to school safety. Additionally, health and fire department inspectors contribute to school safety.

Maintenance is ongoing and as needed.

Internal Security Procedures

Bryn Mawr Elementary School has established procedures in the following areas: California Safe School Assessment (CSSA) reporting procedures, suspension and expulsion procedures, inventory system, and monitored student ingress and egress points, single point of entry once school starts through dismissal, and visitor admission onto campus through the RAPTOR visitor management system,.

Bryn Mawr Elementary School crime statistics reflect a total of 0 crimes reported during the 2023-2024 school year.

Keeping reportable crimes at a minimum requires constant vigilance. The following strategies will be utilized in achieving this goal site facility checks done daily, character education programs (Second Step), school counselor program, as well as school-wide implementation of the Leader in Me system to develop the 7 Habits of highly successful people (Franklin-Covey), and campus monitors to provide supervision and surveillance during the school day. The campus lighting is also key in making sure crime is kept at a minimum.

Bryn Mawr Elementary School maintains a copy of the district's sexual harassment policy in the main office and in the staff room. The policy is available upon request. The District's Sexual Harassment Policy contains dissemination plans, applicable definitions, reporting requirements, investigation procedures, enforcement regulations, and information related to suspension and/or expulsion for sexual harassment of or by pupils. Additionally, a notice summarizing this sexual harassment policy appears in the Parent & Student Handbook, The parent student handbook can be found in the Aeries Parent Portal and parents are required to electronically confirm receiving the information for each pupil at the beginning of each school year.

To ensure the safety of pupils and staff, all adult visitors to the campus, shall sign in to Raptor immediately upon entering any school building or grounds when school. All employees shall wear appropriate identification badges while on campus conducting business.

Discipline procedures shall focus on finding the cause of problems and working with all concerned to reach the proper, restorative solutions. The school's discipline plan begins at the classroom level. Teachers shall use a visible classroom management plan to communicate classroom rules, promote positive pupil conduct, and reduce unacceptable conduct. Appropriate consequences are administered based on a progressive discipline model.

Pupil conduct standards and consequences for Bryn Mawr Elementary School are specifically described in this Comprehensive Schools Safety Plan including: (a) the adopted school discipline rules and procedures, (b) District Disciplinary Guidelines.

Pupils may be suspended, transferred to another school, or recommended for expulsion or specific violations of Ed code. When appropriate, restorative conferences will be the first step, with suspension being an option after all other means of correction have been exhausted. For specific Ed code violations, a mandatory expulsion recommendation shall be submitted by the administration of Bryn Mawr Elementary School in partnership and guidance from Student Services. .

Site administrators contribute to a positive school climate, promote positive pupil behavior, and help reduce inappropriate conduct. The principal and assistant principal use available district and other appropriate records to inform teachers of each pupil identified under E.C. 49079.

San Bernardino County Sheriff is contacted and consulted to help maintain and to promote a safe and orderly school environment. Bryn Mawr Elementary School employees comply with all legal mandates, regulations, and reporting requirements for all instances of suspected child abuse.

If appropriate, additional internal security procedures affecting the integrity of the school facility include: security fencing (closed campus), window blinds and locked classrooms.

Community involvement is encouraged to help increase school safety.
The School Site Safety Committee meets regularly, as does ELAC and PTA.

Inventory System - Engraved ID, Security Storage

Most school-site equipment has a metal ID tag or a bar cod sticker adhered to its surface. These items are inventoried annually and there is an established accountability system. Office and classroom supplies are secured.

Element:

Goal 1:

Provide a safe and nurturing environment

Opportunity for Improvement:

I. Areas of Pride and Desired Improvements

a. Pride

1. Three entrance for students
2. Welcoming staff at each gate

b. Areas of Desired Improvement

1. Drop off route for 4/5th grade carline
2. Increased signs staff for TK/K drop off
3. Staff at the TK/K carline

Objectives	Action Steps	Resources	Lead Person	Evaluation
II. Desired Change #1 At the 4/5th grade Separate bus line from student drop off lane	a. Related Strategies and Activities 1. Safety team conduct observations 2. Place a work order with the district office	b. Resources Required 1. Work order 2. Order supplies/signage 3. Communicate change with parents e. Budget 1. Approximately \$1000	c. Personnel Assignments 1. Custodians 2. Administrator	f. Evaluation criteria 1. Improved / separated bus line and student drop off line at the 4/5th carline 2 d. Timeframe for completion 1. Before June 2025 2.
III. Desired Change #2 New carline painted lines and signage	a. Related Strategies and Activities 1. Work order painted lines 2. Order signs	b. Resources Required 1. Work order 2. Order signage e. Budget 1. Approximately \$1000	c. Personnel Assignments 1. Custodians 2. Administrator	f. Evaluation criteria 1. New painted lines in the carline 2. New signage d. Timeframe for completion 1. Before June 2025 2.
IV. Desired Change #3 Increased staff at the carline	a. Related Strategies and Activities 1. Re-evaluate supervision staff 2. Assign / train staff	b. Resource Required 1. {Personnel e. Budget 1. Approximately \$3000	c. Personnel Assignments 1. Campus monitors 2. Staff 3. PTA 4. Administrators 5. School resource officers	f. Evaluation criteria 1. Staff assigned at the carlines d. Timeframe for completion 1. Before December 2025

Component:

School Climate

The School's Social Environment

Leadership at Bryn Mawr Elementary School is a shared process. A proactive role is assumed in all phases of the school operation. The current management team is committed to developing Bryn Mawr Elementary School toward excellence in the areas of academic and social behavior.

The principal sets a positive tone for the school, guides the staff and works closely with them on curriculum and school safety issues. The school site's organizational structure is open and flexible, contributing to sensitivity concerning school safety issues and promoting a safe, orderly school environment conducive to learning.

Disaster Procedures, Routine and Emergency

A contingency plan for emergencies is contained in a handbook available to each staff member. The District's Emergency Response Plan - (ERP Plan) is listed at the last section of this plan. The plan is reviewed at the beginning of each school year. This plan also contains available district and outside agency resources, emergency disaster procedures and information on Standardized Emergency Management System (SEMS).

Classroom Organization and Structure

Bryn Mawr Elementary School teachers provide a varied learning environment in their classrooms. Teachers use a variety of teaching strategies including: differentiated instruction, direct interactive instruction, articulated school-wide learning systems such as "Write from the Beginning" and "Thinking Maps," laptop or Chromebook use (1:1 students in grades TK, Kinder and 1st; 1:1 in grades 2-5), and lesson presentation using document cameras, Newline boards, or Microsoft Surface Book 2 laptops.

The teachers at Bryn Mawr Elementary School are highly qualified, with many teachers holding advanced degrees. The staff is united in their desire to provide quality education for all pupils. Classrooms and teachers provide a safe, orderly learning environment, enhance the experience of learning, and promote positive interactions amongst pupils and staff. Instructional time is maximized and disruptions are minimized.

The School's Cultural Environment

There is a high level of cohesiveness among the staff members at Bryn Mawr Elementary School. Cooperation and support between teachers and the administration is evident. Efforts are made by the administration and staff to show concern for all pupils.

All pupils are expected to behave in a manner that promotes safety and order. Pupils are encouraged to bring problems to the principal, assistant principal, counselor, teacher or other staff members. The everyday goal is for the staff to be proactive rather than reactive in all situations of concern.

The academic and behavior efforts of pupils are recognized and rewarded.

Cultural diversity is celebrated throughout the year by hosting an annual Multicultural Week of activities, assemblies and events focusing on the representative languages, cultures and customs of our diverse student body..

Element:

Goal 2:

Maintain a safe learning environment for all students.

Opportunity for Improvement:

I. Areas of Pride and Desired Improvements

a. Pride

1. Low suspension rate.
2. Leader in Me system being implemented school-wide.

b. Areas of Desired Improvement

1. Greater focus and instruction on 7 Habits of Highly Effective People (Franklin-Covey) supporting positive citizenship and personal success.
2. Implementation of PBIS

Objectives	Action Steps	Resources	Lead Person	Evaluation
II. Desired Change #1 Implementation of "Leader In Me" program.	a. Related Strategies and Activities 1. Use of Leader in Me materials (workbook) to teach the 7 Habits to students during morning "Lead Time". 2. Teacher professional development	b. Resources Required 1. Funding from school plan. 2. e. Budget 1. Approximately \$10,000 2.	c. Personnel Assignments 1. Lighthouse Coordinators 2. Action Team leads	f. Evaluation criteria 1. Actions and language that mirror the 7 Habits 2. Increased student leadership roles on campus d. Timeframe for completion 1. By the end of each year. Multi-year implementation is ongoing. 2.
III. Desired Change #2 Implementation of PBIS	a. Related Strategies and Activities 1. Create school wide behavior expectations 2. Implement a Tier 1 and Tier 2/3 teams 3. Student store	b. Resources Required 1. Posters (reprographics) 2. Rewards e. Budget 1. \$500 2. \$4000	c. Personnel Assignments 1. Certificated Staff 2. Classified Staff	f. Evaluation criteria 1. Observation of implementation and reinforcement of behavior expectations. 2. Decrease in minor and major behaviors. d. Timeframe for completion 1. End of the school year 2. End of the school year.

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

Bryn Mawr Elementary School Student Conduct Code

Procedures to Ensure a Safe and Orderly Environment

Rules and Procedures on School Discipline

Philosophy of Discipline

Behavior expectations and the consequences for not meeting expectations will be clearly communicated to all students and their parents (in writing as well as verbally).

When appropriate, restorative conferences with the counselor is the first step for the student to take responsibility and repair harm.

The Bryn Mawr staff will use a progressive discipline model when providing consequences to students.

The consequences for violating behavior expectations will vary depending on age and frequency of behavior violations.

Expectations and consequences should permit students an opportunity to grow and develop the desired behavior.

The structure of our behavior expectations (in the classroom as well as school wide) is meant to encourage students to be responsible, respectful and kind. The first step in many instances of inappropriate behavior (those considered to be "minor") is a simple warning and an opportunity to reinforce our 7 Habits. It is only when a student doesn't respond to prior warnings and that we involve parents and implement consequences.

Elements of a Good Discipline Program

1. The program is focused upon making the entire campus, especially the classroom, a safe, supportive and orderly environment for learning for students and staff.
2. Classroom authority is retained by the classroom teacher. (Administration's role is to support, not to replace.)
3. Rules and procedures are clearly understood by staff and students.
4. All staff members will acknowledge and take appropriate action on any minor or major infraction of the school rules.
5. Rules and procedures comply with State Law and District policies.
6. The program recognizes the responsibilities and the rights of students and staff.
7. Program is structured to keep students in class and engaged in the educational process.
8. Rules are enforced:
 - A. by all staff members at all times.
 - B. strictly, but not rigidly (beware of "automatics").
 - C. in substantial part by adult modeling.
 - D. using techniques that promote the growth of positive self-esteem.
 - E. as close to the source as is possible.
 - F. by keeping parents informed.
9. The discipline program is understood, endorsed, and supported by staff, parents, and students.

PRINCIPAL'S STATEMENT TO EDMS STAFF

Expectations in Developing & Maintaining Discipline

As Principal of our school, I will expect;

Each teacher to have a defined system of classroom management. A written description of this system, including representative examples of the progressive interventions you intend to employ, will be approved and filed by me. Whenever possible and appropriate, teachers are encouraged to use standards and systems that are consistent with other village/department members.

You can expect

Each administrator to assist and support you in every reasonable way in developing, implementing, and refining that system as needed.

I will expect

That when you refer a student for discipline:

1. The student has been made fully aware of classroom and school rules and knows what rules he/she has violated.
2. Teachers within a village will discuss any continuing behavior problems and schedule a team conference with the student and parents when appropriate.
3. That information will be provided on the referral regarding previous actions you have taken regarding this specific issue.
4. You have exhausted the interventions at your disposal (i.e., you have done everything you can do) and you have followed the guidelines established by the administration and staff on what constitutes an appropriate behavior referral.
5. The behavior was so serious or so blatant as to make immediate removal from the classroom necessary.
6. The written referral will be explicit in stating the offense(s).
7. You will send the student out of class with a referral only if his/her continued presence in the class would disrupt or prevent teaching and/or learning.
8. If necessary, the referral will be delivered to the office at a time convenient to the staff member so that the issue may be handled most efficiently, causing a minimum of lost class time.

You can expect

1. Each administrator to support your position in every reasonable way.
2. A response time on your referral of one, or at most, two days.
3. The availability of an administrator to discuss unresolved referrals after school on any given day.
4. That the administrator will exercise independent judgment regarding disposition of referrals.

I will expect

1. That each teacher will go to the doorway of his/her classroom after each class period as often as possible and assume control of student behavior in the corridor.
2. That each staff member will hold students accountable for their behavior on the school grounds at all times.

You can expect

1. Administrator support, investigation, and follow-through as indicated.
2. A response to referrals from incidents outside the classroom to be the same as to those within.

Dr. Esther Tamanaha
Principal

WHAT TO DO WHEN PROBLEMS APPEAR

Both behavioral and academic problems are present in some of our students. Teachers often ask for guidelines for dealing with these problems. Here they are:

1. Have collaborative conversations with the administrators, school counselors or colleagues.
2. Call parents at the first sign of concern. Inform the parents of your observations, ask for their ideas, assistance, and support in serving the student. Keep a log of your calls.
3. If possible, talk privately to the student about your concerns and ask how you can help them.
4. Behavior concerns: After talking to parents, implement positive strategies that encourage the desired behavior (token cards, leadership roles, preferential seating ...). Contract the school counselors, site administrators, or RCSS for support if you have exhausted your resources.
5. Referrals are written for tier II behaviors, such as physical contact or repeated behaviors that have not responded to tier I interventions.
6. Academic Concerns can initially be addressed with tier I supports in the classroom. Targeted small group interventions in the classroom is the first step. If the student is not showing growth, reach out to the IST team to schedule and IST.
7. 2-3 ISTs must be held with documented interventions and results prior to psychoeducational testing.

Conduct Code Procedures

(K) Hate Crime Reporting Procedures and Policies

Policy 5145.3: Nondiscrimination/Harassment

The Governing Board desires to provide a safe school environment that allows all students equal access to and opportunities in the district's academic, extracurricular, and other educational support programs, services, and activities. The Board prohibits unlawful discrimination in any education program or activity, at or on the way to and from any district school or school activity, related to school activity or school attendance occurring within a district school, and which occurs 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 includes 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 or parental status, pregnancy, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression or genetic information; or association with a person or group with one or more of these actual or perceived characteristics.

Title IX of the Education Amendments of 1972 is a source of the obligation not to discriminate on the basis of sex, including gender, pregnancy and related conditions, sex stereotypes, gender identity, transgender status, sexual orientation, and parental status. Complaints alleging unlawful discrimination on the basis of race, color, national origin, sex, age, or disability or for retaliation for the purpose of interfering with any right or privilege protected by the laws enforced by the Office for Civil Rights can be filed directly with the Assistant Secretary for the Office for Civil Rights at OCR@ed.gov or <https://ocrcas.ed.gov>.

(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 constituting unlawful discrimination or harassment 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 one of the categories listed above. Unlawful discrimination also occurs when prohibited conduct is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect or purpose of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely or negatively affects a student's educational opportunities, or academic performance.

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. In addition, the Superintendent or designee shall post the district's policies prohibiting discrimination, harassment, intimidation, and bullying and other required information on the district's web site in a manner that is easily accessible to parents/guardians and students, in accordance with law and the accompanying administrative regulation.

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

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(cf. 1312.3 - Uniform Complaint Procedures) (cf. 1330 - Use of Facilities) (cf. 4131/4231/4331 - Staff Development)

(cf. 6145 - Extracurricular and Cocurricular Activities) (cf. 6145.2 - Athletic Competition)

(cf. 6164.2 - Guidance/Counseling Services)

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

Students who engage in unlawful discrimination, including discriminatory harassment, intimidation, bullying, or retaliation, 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. School personnel shall take immediate steps to intervene, when safe to do so, whenever site personnel witness an act of discrimination, harassment, intimidation, or bullying. Any employee who permits or engages in prohibited discrimination, including discriminatory harassment, intimidation, bullying, or retaliation, shall be subject to disciplinary action, up to and including dismissal.

(cf. 4118 - 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. The record shall be maintained for a minimum of ten years.

The record shall be maintained in a centralized, electronic tracking and response system (centralized system) for all oral and written complaints of sex discrimination, and sexual harassment, assault, intimidation, bullying or abuse, and any retaliation related to the submission of such reports and complaints, including those submitted anonymously.

The centralized system shall contain all documents provided or generated during an investigation, resolution, or appeal.

(cf. 3580 - District Records)

Regulation 5145.3: Nondiscrimination/Harassment

The district designates the Assistant Superintendent of Compliance as the employee 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 Assistant Superintendent of Compliance shall also serve as the compliance officer 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 and any complaints of retaliation for reporting, complaining, or participating in the grievance process related such allegations. The Assistant Superintendent of Compliance may be contacted at: (Education Code 234.1; 5 CCR 4621)

Dr. Rudy Wilson

Assistant Superintendent of Compliance, Redlands Unified School District

20 W. Lugonia Avenue Redlands, CA 92374

(909) 307-5300

compliance@redlands.k12.ca.us

(cf. 1312.1 - Complaints Concerning District Employees) (cf. 1312.3 - Uniform Complaint Procedures) (cf. 5145.7 - Sexual

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Harassment)

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

Measures to Prevent Discrimination

To prevent unlawful discrimination, including discriminating 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 website in a manner that is easily accessible to parents/guardians and students (Education Code 234.6)

(cf. 0410 - Nondiscrimination in District Programs and Activities) (cf. 1113 - District and School Websites) (cf. 1114 -

DistrictSponsored Social Media) (cf. 5131.2 - Bullying)

(cf. 5145.9 - Hate-Motivated Behavior)

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 website 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 website, 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 websites 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:
 - (1) An explanation of the statute of limitations within which a complaint must be filed after an alleged incident of discrimination has occurred and how a complaint may be filed beyond the statute of limitations
 - (2) An explanation of how the complaint will be investigated and how the complainant may further pursue the complaint, including web links to this information on the OCR's website
 - (3) A web link to the OCR complaints form and the contact information for the office, including the phone number and email address for the office
 - d. A link to the Title IX information included on the California Department of Education's (CDE) website
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.

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7. Annually notify all students and parents/guardians of the district's nondiscrimination policy, including its responsibility to provide a safe, nondiscriminatory school environment for all students, including transgender and gender-nonconforming students. The notice shall inform students and parents/guardians that they may request to meet with the Assistant Superintendent of Compliance to determine how best to accommodate or resolve concerns that may arise from the district's implementation of its nondiscrimination policies. The notice shall also inform all students and parents/guardians that, to the extent possible, the district will address any individual student's interests and concerns in private.

(cf. 5145.6 - Parental Notifications)

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, including transgender and gender-nonconforming students.

(cf. 1240 - Volunteer Assistance)

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

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)

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

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 (cf. 5131.5 - Vandalism and Graffiti)
2. Providing training to students, staff, and parents/guardians about how to recognize unlawful discrimination, how to report it or file a complaint, and how to respond
3. Disseminating and/or summarizing the district's policy and regulation regarding unlawful discrimination

4. Consistent with laws regarding the confidentiality of student and personnel records, communicating to students, parents/guardians, and the community the school's response plan to unlawful discrimination or harassment (cf. 4112.6/4212.6/4312.6 - Personnel Files)

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information) (cf. 5125 - Student Records) Comprehensive School Safety Plan 61 of 74 10/14/24

5. Taking appropriate disciplinary action against students, employees, and anyone determined to have engaged in wrongdoing in violation of district policy, including any student who is found to have filed a complaint of discrimination that he/she knew was not true

(cf. 4118/4218 - Dismissal/Suspension/Disciplinary Action) (cf. 5144 - Discipline) (cf. 5144.1 - Suspension and Expulsion/Due Process) (cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities)) (cf. 6159.4 - Behavioral Interventions for Special Education Students)

Process for Initiating and Responding to Complaints

Any student who feels that he/she has been subjected to unlawful discrimination described above or in district policy is strongly encouraged to immediately contact the Assistant Superintendent of Compliance, the principal, or any other staff member. In addition, any student who observes any such incident is strongly encouraged to report the incident to the Assistant Superintendent of Compliance 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 Assistant Superintendent of Compliance and the principal, within one 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 Assistant Superintendent of Compliance, the principal or Assistant Superintendent of Compliance 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 Assistant Superintendent of Compliance 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, Assistant Superintendent of Compliance, or any other person to whom a report would ordinarily be made or complaint filed shall instead be made to or filed with the Superintendent or designee who shall determine how the complaint will be investigated.

(cf. 5141.4 - Child Abuse Prevention and Reporting) Transgender and Gender-Nonconforming Students

Gender identity of a student means the student's gender-related identity, appearance, or behavior, as determined from the student's internal sense 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 or not 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.

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

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

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

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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 transgender status to individuals who do not have a legitimate need for the information, without the student's consent or when doing so would place the student at risk of physical, emotional, or psychological harm

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 transgender and gender-nonconforming students.

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

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

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

As appropriate, given the student's need for support, the Assistant Superintendent of Compliance may discuss with the student any need to disclose the student's 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.

(cf. 1340 - Access to District Records) (cf. 3580 - District Records)

2. Determining a Student's Gender Identity: The Assistant Superintendent of Compliance 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 Assistant Superintendent of Compliance 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 Comprehensive School Safety Plan 63 of 74 10/14/24

educational programs and activities is maintained. The meeting shall discuss the transgender or gender-nonconforming student's rights and how those rights may affect and be affected by the rights of other students and shall address specific subjects related to the student's access to facilities and to academic or educational support programs, services, or activities, including, but not limited to, sports and other competitive endeavors. In addition, the Assistant Superintendent of Compliance shall identify specific school site employee(s) to whom the student may report any problem related to the student's status as a transgender or gender-nonconforming individual, so that prompt action can be taken to address it. Alternatively, if appropriate and desired by the student,

the school may form a support team for the student that will meet periodically to assess whether the arrangements for the student are meeting his/her educational needs and providing equal access to programs and activities, educate appropriate staff about the student's transition, and serve as a resource to the student to better protect the student from gender-based discrimination.

4. Accessibility to Sex-segregated Facilities, Programs, and Activities: When the district maintains sex-segregated facilities, such as restrooms and locker rooms, or offers sex-segregated programs and activities, such as physical education classes, intramural sports, and interscholastic athletic programs, students shall be permitted to access facilities and participate in programs and activities consistent with their gender identity. To address any student's privacy concerns in using sex-segregated facilities, the district shall offer available options such as a gender-neutral or single-use restroom or changing area, a bathroom stall with a door, an area in the locker room separated by a curtain or screen, 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 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.

(cf. 6145 - Extracurricular and Co-curricular Activities) (cf. 6145.2 - Athletic Competition) (cf. 6153 - School-Sponsored Trips)
(cf. 7110 - Facilities Master Plan)

5. Student Records: A student's legal name or gender as entered on the mandatory student record required pursuant to 5 CCR 432 shall only be changed with proper documentation. When a student presents government- issued documentation of a name and/or gender change or submits a request for a name and/or gender change through the process specified in Education Code 49070, the district shall update the student's records. (Education Code 49062.5, 49070)

(cf. 5125 - Student Records)

(cf. 5125.1 - Release of Directory Information) (cf. 5125.3 - Challenging Student Records)

6. Names and Pronouns: If a student so chooses, district personnel shall be required to address the student by a name and the pronouns consistent with 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.

(cf. 5132 – Student Dress Guidelines)

(J) Procedures to Prepare for Active Shooters

Bryn Mawr takes preparation for active shooters seriously, and will regularly practice lockdown drills.

Our school the district protocol 3 LEVELS OF STUDENTS IN CRISIS:

1) Safe and Secure Mode: Limit outside movement

Safe and Secure Mode is a security procedure used to reduce student and staff movement outside school buildings. This may be due to a medical emergency, area disturbance, isolated site disturbance, etc. It is designed to allow for school to carry forward but have the ability to move to Lockdown quickly if needed. During the Safe and Secure mode, there is heightened vigilance on campus by all school staff.

Generally, recesses and outdoor activities are reduced. Parents/guardians can have access to their student(s) and may check them out of school if they see fit to do so.

Teachers should continue teaching as normal

Allow students restroom use with clear administrator/ teacher direction

Increased available staff presence during passing periods and student dismissal

Lunch/activities monitored more closely for movement outside of lunch area, unless site admin decides otherwise

Standard inclement weather schedule/routine in place, unless site administrator/designee decides otherwise

Perimeter gates, where applicable, will be locked and monitored by available staff, allowing for central access points

PE classes will be monitored more closely for movement outside of PE area; classes may be moved off all fields into more secure locations (e.g., gym, class, & MPR)

2) Lockdown: Prevent all outside movement

Lock Down is called when a law enforcement event is happening in the vicinity of a school or on campus. With the support of law enforcement, a school site will call a Lock Down as a precautionary measure. This means all students and staff must stay inside behind locked doors; however, it does not mean that there is an active threat occurring on campus.

Take a look outside your classroom and gather up any stray students in the hallways

Ensure that your door is locked

Project a calm demeanor to help students remain calm; reassure students that they are safe

Do not allow anyone to leave the classroom

Staff and parents/guardians frequently check their emails for updates from their site administrators

If students are out on the playground or athletic fields, quickly move them to a secure classroom, locker room, or multi-purpose room

Teachers continue to keep students engaged in learning

3) Critical Alert: Locks, Lights, Out of Sight

Critical Alert is called when a significant, threatening event is happening on campus or adjacent to campus that creates a potential danger to students and staff. While this may be communicated to the school by law enforcement, it may also be determined by school officials on the scene. Critical Alert assumes that everyone is prepared for a potential significant threat/event on campus.

Turn off or reduce lighting, so it will appear that the room is vacant

Keep all students sitting on the floor, away from the door or windows

Do not look out the windows

Advise the students that there is a serious situation; project a calm demeanor and reassure students that you are taking steps to keep them safe

Ensure that everyone in the room turns the ringer off on their cell phones

Do not allow students to talk on their cell phones (keep room as quiet as possible)

Limit calls to the school office; phones are being used to communicate with parents/guardians and first responders

Quietly take roll and make a list of missing students and any extra students that are in your room. Email this list to your administrators and school site secretaries

When staff determines, they will direct the evacuation of students they oversee to the designated area; each staff will make this determination based on their specific situation

Do not open the door, even if someone knocks and claims to be a staff member (administrator/custodian will have a master key)

If students are out on the PE field, do not return them to the locker room. Move them to a safe place (this may be the farthest part of the campus or off campus); Staff must remain with students until reunification

Procedures for Preventing Acts of Bullying and Cyber-bullying

Definitions

Bullying is an unwanted, aggressive behavior that involves a real or perceived imbalance of power between individuals with the intent to cause emotional or physical harm. Bullying can be physically, verbally, or socially/relationally harmful and involves repetition or potential repetition of a deliberate act. Bullying can involve intimidation and coercion.

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. Cyberbullying can be harmful to the online reputations of everyone involved, including the person who is cyberbullying and those participating in it.

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

1. Physical bullying that inflicts harm upon a person's body or possessions, such as hitting, kicking, pinching, spitting, tripping, pushing, taking or breaking someone's possessions, or making cruel or rude hand gestures
2. Verbal bullying that includes saying or writing hurtful things, such as teasing, name-calling, inappropriate sexual comments, taunting, or threats to cause harm
3. Social/relational bullying that harms a person's reputation or relationships, such as leaving a person out of an activity on purpose, influencing others not to be friends with someone, spreading rumors, or embarrassing someone in public
4. Cyberbullying, such as sending demeaning or hateful text messages or emails, sending or spreading online rumors by email or by posting them on social networking sites or apps, posting embarrassing or explicit photos or videos online or on apps, or creating fake profiles can also be considered cyberbullying.

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

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2. Providing to students, through student handbooks and other age-appropriate means, information about district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for engaging in bullying
3. Encouraging students to notify school staff when they are being bullied or when they suspect that another student is being bullied, and providing means by which students may report threats or incidents confidentially and anonymously

4. Annually notifying district employees that, pursuant to Education Code 234.1, any school staff who witnesses an act of bullying against a student has a responsibility to immediately intervene to stop the incident when it is safe to do so

Staff Development

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

The Superintendent or designee shall provide training to teachers and other school staff to raise their awareness about the legal obligation of the district and its employees to prevent discrimination, harassment, intimidation, and bullying of district students. Such training shall be designed to provide staff with the skills to:

1. Discuss the diversity of the student body and school community, including their varying immigration experiences
2. Discuss bullying prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims
3. Identify the signs of bullying or harassing behavior
4. Take immediate corrective action when bullying is observed
5. Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior

Student Instruction

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

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.

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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 or designee 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.

When appropriate based on the severity or pervasiveness of the bullying, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators and may contact law enforcement.

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

(Education Code 48900.9)

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

Safety Plan Review, Evaluation and Amendment Procedures

A draft of the Safety Plan is presented to the School Site Council for review. Meetings with the school Safety Committee are held several times during the year where safety issues are discussed, and adjustments/amendments to the CSSP are recommended.

Safety Plan Appendices

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)

Emergency Response Guidelines

Step One: Identify the Type of Emergency

Step Two: Identify the Level of Emergency

Step Three: Determine the Immediate Response Action

Step Four: Communicate the Appropriate Response Action

Types of Emergencies & Specific Procedures

Earthquake

Schools are required to employ earthquake drills each school year that typically consist of some signal followed by students practicing the duck, cover and hold drill. In the event of an actual earthquake, the shaking will be the signal! The following will be accomplished:

Duck- or drop down to the floor.

Cover- take cover under a sturdy desk, table or other furniture. If that is not possible, seek cover against an interior wall and protect your head and neck with your arms. Avoid danger spots near windows, hanging objects, mirrors or tall furniture.

Hold- If you take cover under a sturdy piece of furniture, hold onto it and prepare to move with it. Hold this position until the ground stops shaking and it is safe to move.

Evacuation could be signaled at this time depending on the severity of the earthquake.

Students who are outside at the time of the earthquake should stay clear of any buildings or other tall objects which could fall on them.

After an earthquake evacuation, search and rescue teams will go back out to campus to evacuate, assist and rescue students left behind.

Fire in Surrounding Area

Administration will follow the guidelines directed from the superintendent of the Redlands Unified School District in regard to air quality and surrounding fires.

Fire on School Grounds

Fire drills are conducted at every month at Bryn Mawr. In the event of an actual fire in your classroom, the following should be accomplished:

1. If possible, notify the office and report the emergency.
2. Evacuate the classroom (concurrently with reporting if possible).
3. Small fires can be put out with the fire extinguisher. Use the PASS method.

Pull the pin to activate the extinguisher

Aim at the base of the fire

Squeeze the trigger to discharge

Sweep the extinguisher from side to side

4. If the fire continues to grow despite your efforts---- GET OUT!

5. Pull the fire alarm in your building and institute an evacuation

Listen for further instruction by the Raptor app or school PA system

Pandemic

Blood Borne Pathogen Incident Reporting Form and Exposure Control Plan

Policy 5141.22: Infectious Diseases

The Governing Board desires to protect students from risks posed by exposure to infectious diseases while providing an appropriate education for all students.

The Superintendent or designee shall determine whether to admit a student with an infectious disease, and shall exclude students only in accordance with law. In making this determination, he/she shall consult the student's parents/guardians, the student's physician and/or the county health department, in accordance with law and consistent with confidentiality provisions. Because bloodborne pathogens such as hepatitis B virus, hepatitis C virus and human immunodeficiency virus (HIV) are not casually transmitted, the sole presence of bloodborne pathogens is not sufficient reason to exclude students from attending school.

cf. 5112.2 - Exclusions from Attendance)

(cf. 5141.26 - Tuberculosis Testing)

(cf. 5141.3 - Health Examinations)

(cf. 6158 - Independent Study)

(cf. 6159 -Individualized Education Program)

(cf. 6183 - Home/Hospital Instruction)

Parents/guardians are encouraged to inform the Superintendent or designee if their child has an infectious disease so that school staff may work cooperatively with the student's parents/guardians to minimize the child's exposure to other diseases in the school setting. The Superintendent or designee shall ensure that student confidentiality rights are strictly observed in accordance with law. No district employee shall release medical information, including knowledge of a bloodborne pathogen infection, without written consent from the parent/guardian or adult student. Such information shall be shared only with those persons specifically named in the written permission.

(cf. 5125 - Student Records)

(cf. 5022 -Student and Family Privacy Rights)

The Board requires students and staff to routinely observe universal precautions to prevent exposure to bloodborne pathogens and to prevent the spread of all infectious disease.

cf. 4119.42/4219.42/4319.42 -Exposure Control Plan for Bloodborne Pathogens)

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)

(cf. 5141.23 - Infectious Disease Prevention)

The Superintendent or designee shall ensure that the district's health education program provides information about the nature of bloodborne pathogens and their transmission.

(cf. 5141.6 - Student Health and Social Services)

(cf. 6142.2 - Sexual Health and HIV/AIDS Prevention Instruction)

(cf. 6142.8 - Comprehensive Health Education)

Blood Borne Pathogens - Safety Practices

Procedures and Regulations

1. General

1.1 While recognizing that both students and employees diagnosed with an infectious blood borne disease are entitled to a confidential relationship between themselves, the medical community and/or other agencies, the Board of School Trustees encourages these individuals to meet with the School Principal and/or Superintendent of Schools to discuss their disease and immediate and future needs.

1.2 Assessment

2. Students:

2.1. The Superintendent (or designate) will be informed, by the school principal as soon as is known, of any student infected with an infectious blood borne disease.

2.2. A Risk Assessment will be conducted using a team approach including the personal physician, public health personnel, the parent or guardian, and school district personnel as appropriate and will make recommendations about the type of educational and care setting based on the following:

- a. Behavior, neurological development and physical condition of the child;
- b. Type of interaction expected with others.
- c. What the potential is for exposure
- d. Areas for potential for exposure
- e. How exposure may happen
- f. Who needs to know?
- g. What will happen if there is a risk of exposure?

2.3. The team will consider the risk to others in the workplace, whether or not the individual is healthy enough to continue to attend school, and what precautions should be taken to ensure the safety and health of others.

a. The identity of infected students will remain confidential and restricted to those who need to know or are required to be informed.

2.4. Decisions on attendance at school are dependent on the circumstances of each individual case. Regular evaluation of the appropriateness of attendance will be conducted.

2.5. The Board will be notified immediately when the team considers the health condition of a student to be a danger to the immediate health and welfare of a school, its students or employees of the Board.

a. Upon being notified of the team's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

3. Employees

3.1. The Superintendent will be informed, by district staff as soon as is known, of any employee infected with an infectious blood borne disease.

3.2. Employees with an infectious blood borne disease, who are able to carry out the essential duties of their jobs in a satisfactory manner without posing a health or safety risk to themselves or others, will be entitled to continue their work.

3.3. Decisions regarding potential health or safety hazards will be made on a case-by-case basis in consultation with the employee, the personal physician and district personnel as appropriate.

3.4. The identity of infected employees will remain confidential and restricted to those who need to know or are required to be informed.

3.5. The Board will be notified immediately if the Superintendent considers the health condition of an employee to be a danger to the immediate health and welfare of a school, its students or other employees of the Board.

a. Upon being notified of the Superintendent's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

4. Hygienic Safety Practices

4.1. All employees will follow “Universal Infection Control Precautions” by assuming that blood and other body fluids from all individuals are potentially infectious. These precautions include:

- a. Routinely using gloves when anticipating contact with blood
- b. Immediately washing hands and other skin surfaces after removal of gloves and/or contact with blood

4.2. Schools will be provided with appropriate protective equipment including disposable waterproof gloves (natural rubber latex, neoprene, nitrile, or vinyl), tongs or pliers and proper sharps containers.

4.3. Schools’ medical room mattresses will be either vinyl-coated beds or cloth mattress with a protective vinyl (plastic) covering so that they can be cleaned as needed with a bleach solution.

4.4. Blankets can be cleaned as needed by forwarding them, in a clearly labeled plastic bag, to the Assistant Supervisor Operations at the Facilities Office.

5. Universal Precautions

5.1. Universal Precautions to prevent transmission of blood-borne disease will be followed. Universal Precautions is the term for infection control measures endorsed by the Canadian Centre for Occupational Health and Safety for workers who might come into contact with blood and other body fluids. In summary they include:

- a. Wash hands for 30 seconds after contact with blood and other body fluids contaminated with blood.
- b. Wear disposable latex gloves when you encounter blood, body fluids, or when cleaning cuts, scrapes or wounds. Wash your hands as soon as you remove your gloves. Dispose gloves in a plastic bag.
- c. Use disposable absorbent material like paper towels to stop bleeding.
- d. Discard bloodstained material in a sealed plastic bag and deposit in the garbage. Label as containing blood-tainted material.
- e. Cover cuts or scrapes with a bandage until healed.
- f. Immediately protect staff and students from coming in contact with blood-soiled surfaces. The area must be disinfected with a fresh solution of one part bleach and nine-parts water (10% bleach solution).

Mops or brushes used for cleaning should be soaked in a bleach solution for 20 minutes.

(Note: The custodial department will provide each school with the product for dissolving in water to provide the bleach solution.)

6. Identification of Risks of Occupational Exposure

6.1. In accordance with the Occupational Health and Safety Regulations (section 6.35), the district’s Health & Safety Coordinator will develop and maintain a list of positions and/or tasks and procedures where there is a potential for occupational exposure to a blood borne pathogen.

6.2. Employees who have, or may have, occupational exposure to the hepatitis B virus, will upon request, receive a hepatitis B vaccination (section 6.39, OH&S Regs).

6.3. Employees who may have been exposed to a blood borne pathogen in an exposure incident will be advised to immediately seek medical attention

Blood Borne Pathogen Incident Reporting Form and Exposure Control Plan

Policy 5141.22: Infectious Diseases

The Governing Board desires to protect students from risks posed by exposure to infectious diseases while providing an appropriate education for all students.

The Superintendent or designee shall determine whether to admit a student with an infectious disease, and shall exclude students only in accordance with law. In making this determination, he/she shall consult the student's parents/guardians, the student's physician and/or the county health department, in accordance with law and consistent with confidentiality provisions. Because bloodborne pathogens such as hepatitis B virus, hepatitis C virus and human immunodeficiency virus (HIV) are not casually transmitted, the sole presence of bloodborne pathogens is not sufficient reason to exclude students from attending school.

(cf. 5112.2 - Exclusions from Attendance)
(cf. 5141.26 - Tuberculosis Testing)
(cf. 5141.3 - Health Examinations)
(cf. 6158 - Independent Study)
(cf. 6159 - Individualized Education Program)
(cf. 6183 - Home/Hospital Instruction)

Parents/guardians are encouraged to inform the Superintendent or designee if their child has an infectious disease so that school staff may work cooperatively with the student's parents/guardians to minimize the child's exposure to other diseases in the school setting. The Superintendent or designee shall ensure that student confidentiality rights are strictly observed in accordance with law. No district employee shall release medical information, including knowledge of a bloodborne pathogen infection, without written consent from the parent/guardian or adult student. Such information shall be shared only with those persons specifically named in the written permission.

(cf. 5125 - Student Records)
(cf. 5022 - Student and Family Privacy Rights)

The Board requires students and staff to routinely observe universal precautions to prevent exposure to bloodborne pathogens and to prevent the spread of all infectious disease.

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)
(cf. 4119.43/4219.43/4319.43 - Universal Precautions)
(cf. 5141.23 - Infectious Disease Prevention)

The Superintendent or designee shall ensure that the district's health education program provides information about the nature of bloodborne pathogens and their transmission.

(cf. 5141.6 - Student Health and Social Services)
(cf. 6142.2 - Sexual Health and HIV/AIDS Prevention Instruction)
(cf. 6142.8 - Comprehensive Health Education)

Blood Borne Pathogens - Safety Practices

Procedures and Regulations

1. General

1.1 While recognizing that both students and employees diagnosed with an infectious blood borne disease are entitled to a confidential relationship between themselves, the medical community and/or other agencies, the Board of School Trustees encourages these individuals to meet with the School Principal and/or Superintendent of Schools to discuss their disease and immediate and future needs.

1.2 Assessment

2. Students:

2.1. The Superintendent (or designate) will be informed, by the school principal as soon as is known, of any student infected with an infectious blood borne disease.

2.2. A Risk Assessment will be conducted using a team approach including the personal physician, public health personnel, the parent or guardian, and school district personnel as appropriate and will make recommendations about the type of educational and care setting based on the following:

- a. Behavior, neurological development and physical condition of the child;
- b. Type of interaction expected with others.
- c. What the potential is for exposure
- d. Areas for potential for exposure
- e. How exposure may happen
- f. Who needs to know?
- g. What will happen if there is a risk of exposure?

2.3. The team will consider the risk to others in the workplace, whether or not the individual is healthy enough to continue to attend school, and what precautions should be taken to ensure the safety and health of others.

- a. The identity of infected students will remain confidential and restricted to those who need to know or are required to be informed.

2.4. Decisions on attendance at school are dependent on the circumstances of each individual case. Regular evaluation of the appropriateness of attendance will be conducted.

2.5. The Board will be notified immediately when the team considers the health condition of a student to be a danger to the immediate health and welfare of a school, its students or employees of the Board.

- a. Upon being notified of the team's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

3. Employees

3.1. The Superintendent will be informed, by district staff as soon as is known, of any employee infected with an infectious blood borne disease.

3.2. Employees with an infectious blood borne disease, who are able to carry out the essential duties of their jobs in a satisfactory manner without posing a health or safety risk to themselves or others, will be entitled to continue their work.

3.3. Decisions regarding potential health or safety hazards will be made on a case-by-case basis in consultation with the employee, the personal physician and district personnel as appropriate.

3.4. The identity of infected employees will remain confidential and restricted to those who need to know or are required to be informed.

- 3.5. The Board will be notified immediately if the Superintendent considers the health condition of an employee to be a danger to the immediate health and welfare of a school, its students or other employees of the Board.
- a. Upon being notified of the Superintendent's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

4. Hygienic Safety Practices

- 4.1. All employees will follow "Universal Infection Control Precautions" by assuming that blood and other body fluids from all individuals are potentially infectious. These precautions include:
- a. Routinely using gloves when anticipating contact with blood
 - b. Immediately washing hands and other skin surfaces after removal of gloves and/or contact with blood
- 4.2. Schools will be provided with appropriate protective equipment including disposable waterproof gloves (natural rubber latex, neoprene, nitrile, or vinyl), tongs or pliers and proper sharps containers.
- 4.3. Schools' medical room mattresses will be either vinyl-coated beds or cloth mattress with a protective vinyl (plastic) covering so that they can be cleaned as needed with a bleach solution.
- 4.4. Blankets can be cleaned as needed by forwarding them, in a clearly labeled plastic bag, to the Assistant Supervisor Operations at the Facilities Office.

5. Universal Precautions

- 5.1. Universal Precautions to prevent transmission of blood-borne disease will be followed. *Universal Precautions* is the term for infection control measures endorsed by the Canadian Centre for Occupational Health and Safety for workers who might come into contact with blood and other body fluids. In summary they include:
- a. Wash hands for 30 seconds after contact with blood and other body fluids contaminated with blood.
 - b. Wear disposable latex gloves when you encounter blood, body fluids, or when cleaning cuts, scrapes or wounds. Wash your hands as soon as you remove your gloves. Dispose gloves in a plastic bag.
 - c. Use disposable absorbent material like paper towels to stop bleeding.
 - d. Discard bloodstained material in a sealed plastic bag and deposit in the garbage. Label as containing blood-tainted material.
 - e. Cover cuts or scrapes with a bandage until healed.
 - f. Immediately protect staff and students from coming in contact with blood-soiled surfaces. The area must be disinfected with a fresh solution of one part bleach and nine-parts water (10% bleach solution).

Mops or brushes used for cleaning should be soaked in a bleach solution for 20 minutes.

(Note: The custodial department will provide each school with the product for dissolving in water to provide the bleach solution.)

6. Identification of Risks of Occupational Exposure

- 6.1. In accordance with the Occupational Health and Safety Regulations (section 6.35), the district's Health & Safety Coordinator will develop and maintain a list of positions and/or tasks and procedures where there is a potential for occupational exposure to a blood borne pathogen.
- 6.2. Employees who have, or may have, occupational exposure to the hepatitis B virus, will upon request, receive a hepatitis B vaccination (section 6.39, OH&S Regs).
- 6.3. Employees who may have been exposed to a blood borne pathogen in an exposure incident will be advised to immediately seek medical attention

Comprehensive School Safety Plan

**2024-2025
School Year**

School: Crafton Elementary
CDS Code: 36-67843-6036479
District: Redlands Unified School District
Address: 311 N. Wabash Ave.
Redlands, CA 92374
Date of Adoption: October 24, 2023
Date of Update: October 4, 2024
Date of Review:
- with Staff November 4, 2024
- with Law Enforcement
- with Fire Authority

Approved by:


Name	Title	Signature	Date
Brandi Bailes	SSC president/parent		
David Finley	Principal		
Melanie Jump	SSC secretary/classified staff		
Tiphany Caskey	Certificated Staff		

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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 Crafton School; 311 N. Wabash Ave, Redlands 92373.

Safety Plan Vision

Crafton Elementary School will provide a safe, orderly, and secure environment conducive to learning. Crafton Elementary School will create a school in which pupils will attend regularly and be safe from both physical and social-psychological harm. Crafton Elementary School will work collaboratively with the district office and school board to identify, establish and use strategies and programs to comply with school safety laws. Crafton Elementary School will develop a plan to work cooperatively and collaboratively with parents, pupils, teachers, administrators, counselors and community agencies, including law enforcement, to provide a safe and orderly school and neighborhood. Crafton Elementary School will develop an academic program that will focus on high expectations of pupil performance and behavior in all aspects of the school experience. Crafton Elementary School will work collaboratively with other elementary schools, middle schools and high schools to assist in a smooth transition from one school level to another. Crafton Elementary School will solicit the participation, views, and advice of teachers, parents, school administrators, and community members and use this information to promote the safety of our pupils, staff and community.

Components of the Comprehensive School Safety Plan (EC 32281)

Crafton Elementary Safety Committee

Assessment of School Safety

Crafton had only one incident to report in 2023-24, and this incident had a quick response and was handled within a timely manner.

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

Introduction - School Profile

Crafton Elementary is one of twenty-four schools in the Redlands Unified School District with traditions dating back to 1888. Crafton Elementary has a diverse pupil student body and is served by a dedicated staff. Both staff and parents comment on the positive changes that are ongoing in our school.

Crafton Elementary faces challenges in maintaining a safe school. This section of the Comprehensive School Safety Plan will describe programs in place at our school as well as strategies and programs of our school site council for continued improvement in providing a safe, orderly, school environment conducive to learning.

School Crime Status and Reporting

Crafton had only one incident to report in 2023-24, and this incident had a quick response and was handled within a timely manner.

Personal Characteristics of Pupil & Staff

(Additional Health and Welfare Data available from ICOE aggregated DAT surveys)

Crafton Elementary has an enrollment of approximately 695 pupils in grades TK-5. Pupils from this school come from families with average family mobility. Approximately 62% of the pupils are in families receiving Aid to Families with Dependent Children that are eligible for free/reduce lunches. The ethnic makeup of the pupil population is 59.20% Hispanic, 3.02% Black, 25.57% Caucasian, 3.02% Asian, 1.01% Pacific Islander, and 7.90% other races or unknown. Our pupils have a variety of life experiences. Some pupils have recently arrived from foreign countries while others have never left their neighborhood.

Curriculum and Educational Activities

The course of study includes the basic core curriculum, physical education and enrichment classes such as music and physical education; Students are given that opportunity to get involved in choir and students in grades 3, 4 & 5 are also given the opportunity to participate in Elementary Band and orchestra..

Pupils have the opportunity to participate in noon and after-school activities. These include but are not limited to: Exploration Experience (ELOP), Running Club, Homework Club, Intervention classes, Friendly Helpers, Environmental Club, choir, band, and orchestra.

Staff provides opportunities and additional activities open to pupils in the areas of ECO Friends, Art enrichment, Science, PBIS expectations and strategies, as well as in other areas as need/desire arises.

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

Policy 5141.4: Child Abuse Prevention and Reporting

The Governing Board recognizes that the district has a responsibility to facilitate the prompt reporting of incidents of child abuse and neglect. The Superintendent or designee shall ensure that parents/guardians have access to procedures whereby they can report suspected child abuse at a school site to appropriate child protective agencies

The Superintendent or designee shall develop and implement regulations for use by employees in identifying and reporting child abuse

District employees shall report known or suspected incidents of child abuse in accordance with district regulations and state law. Employees shall cooperate with the child protective agencies responsible for reporting, investigating and prosecuting cases of child abuse.

(cf. 4112.9 - Signed Statements/Child Abuse Reporting Statements)

The Superintendent or designee shall provide training in child abuse identification and reporting for all certificated and classified personnel. (Penal Code 11165.7)

All employees trained in child abuse identification and reporting shall be given, as a part of that training, written notice of the child abuse reporting requirements and the employees' confidentiality rights. (Penal Code 11165.7)

In order to reduce or eliminate unfounded child abuse accusations directed at school employees, child abuse in service training shall include guidance in disciplining students and maintaining ethical relationships with them.

(cf. 3514 - Safety)

(cf. 5142 - Safety)

Duty to Report

Certificated employees and classified employees trained in child abuse identification and reporting shall report known or suspected child abuse to a child protective agency by telephone immediately or as soon as practically possible and in writing within 36 hours. The reporting duties are individual and cannot be delegated to another individual except under circumstances set forth in Penal Code 11166.

Definitions

Child Abuse includes the following:

1. A physical injury inflicted by other than accidental means on a child by another person.
2. Willful cruelty or unjustifiable punishment of a child, or willfully inflicting unjustifiable physical pain or mental suffering, or failure to safeguard a child from these injuries when the child is under a person's care or custody
3. Sexual abuse of a child
4. Neglect of a child or abuse in out-of-home care
5. Unlawful corporal punishment or injury resulting in a traumatic condition

Mandated Reporters are those people defined by law as child care custodians, health practitioners, child visitation monitors and employees of a child protective agency. Mandated reporters include virtually all school employees. The following school personnel are required to report:

Teachers, administrators, supervisors of child welfare and attendance, certificated student personnel employees, employees of care institutions, Headstart teachers, school psychologists, licensed nurses, counselors, presenters of child abuse prevention programs and those instructional aides or other classified employees trained in child abuse reporting.

Child Protective Agencies are those law enforcement and child protective services responsible for investigating child abuse reports, including the local police or sheriff department, county welfare or juvenile probation department and child protective services.

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

Reporting Procedures

To report known or suspects child abuse, any employee (as defined above) shall report by telephone to the local child protective agency immediately. (Child Protective Services 921 County Center, 3 Court, Modesto, CA phone # 525- 6641)

The following information shall be given:

1. The name of the person making the report
2. The name of the child
3. The present location of the child
4. The nature and extent of any injury

Any other information requested by the child protective agency, including the information that led the mandated reporter to suspect child abuse.

When the verbal 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.

Within 36 hours of making the telephone report, the mandated reporter shall complete and mail to the local child protective agency a written report which includes a completed Department of Justice form (DOJ SS 8572).

Mandated reports may obtain copies of the above form either from the district or local child protective agency.

Instructions are included on the form, and reporters may ask the site administrator for help in completing and mailing it; however, the mandated reporter is personally responsible for ensuring that the written report is correctly filed.

Employees reporting child abuse to a child protective agency are encouraged, but not required, to notify the site administrator or designee as soon as possible after the initial verbal report by telephone. When so notified, the site administrator shall inform the Superintendent or designee.

Administrators so notified shall provide the mandated reporter any assistance necessary to ensure that reporting procedures are carried out in accordance with law and district regulations. At the mandated reporter's request, the principal may assist in completing and filing the form.

If the mandated reporter does not disclose his/her identity to a district administrator, he/she shall at least provide or mail a copy of the written report to the site administrator and the district without his/her signature or name.

Legal Responsibility and Liability

Mandated reporters have absolute immunity. School employees required to report are not civilly or criminally liable for filing a required or authorized report of known or suspected child abuse.

A mandated reporter who fails to report an instance of child abuse, which he/she knows to exist or reasonably should know to exist, is guilty of a misdemeanor and is punishable by confinement in jail for a term not to exceed six months or by a fine of not more than \$1,000 or both. The mandated reporter may also be held civilly liable for damages for any injury to the child after a failure to report

When two or more persons who are required to report have joint knowledge of suspected instance of child abuse, and when they so agree, the telephone report may be made by either of them and a single report made and signed by that person.

However, if any person who knows or should know that the person designated failed to make the report, that person then has a duty to make the report.

The duty to report child abuse is an individual duty and no supervisor or administrator may impede or inhibit such reporting duties. Furthermore, no person making such a report shall be subject to any sanction.

Victim Interview

Upon request, a child protective agency representative may upon request interview a suspected victim of child abuse during school hours, on school premises, concerning a report of suspected child abuse that occurred within the child's home. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. (Penal Code 11174.3)

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

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

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

Peace officer and child protective services agents will be asked to sign an appropriate release or acceptance of responsibility form.

(cf. 5145.11 - Questioning and Apprehension)

When School Employees are Accused of Child Abuse

Regardless of who child abusers may be, the major responsibilities of mandated reports are to 1) identify incidents of suspected child abuse, and 2) comply with laws requiring the reporting of suspected abuse to proper authorities. Determining whether or not the suspected abuse actually occurred is not the responsibility of the school employee. Such determination and follow-up investigation will be made by a child protective agency.

Pending outcome of an investigation by a child protective agency and before formal charges are filed, the employee may be subject to reassignment or a paid leave of absence.

Upon filing formal charges or upon conviction, the district may take disciplinary action in accordance with law, district policies, regulations and/or collective bargaining agreements. The Superintendent or designee shall seek legal counsel in connection with either the suspension or dismissal of the employee.

(cf. 4117.4 - Dismissal)
(cf. 4118 - Suspension/Disciplinary Action (Certificated))
(cf. 4218 - Suspension/Disciplinary Action (Classified))

Suspected Child Abuse Reporting Procedures

I. Initiating the Report

A. The report is initiated by a telephone report to the appropriate agency.

B. If the suspected child abuse has taken place within the family, call the Enter appropriate Agency Hotline at phone number, 1 (800) 827-8724

C. If the suspected child abuse has taken place outside the family, call the local police department at:

Highland Sheriff Police Department
Phone: (909) 425-9793

D. Content of call.

- 1) Name, address and age of child involved.
- 2) Clear description of suspected abuse.

II. Written Report

A. The telephone call is to be followed by completion of the Suspected Child Abuse Report (form 11166.P.C.). These forms are available in the Principal's office at the high school or you may access the form on line at:
http://ag.ca.gov/childabuse/pdf/ss_8572.pdf for a form or immediately call (909) 384-9233 to file a report.

B. The written report is to be addressed to the person to whom the telephone report was made.

C. The written report must follow the phone call within 36 hours.

1. Suspected child abuse within the family,
Agency: Children and Family Services
Address: 150 S. Lena Road, San Bernardino, California 92415

2. Suspected child abuse outside the family should be mailed to the agency to which the report was called -

Adopted: 10/2005
Redlands Police Department
Phone: (909)798-7681

The reporting party should keep the yellow copy of the Suspected Child Abuse Report form (SS8572) or verification of completion of the reporting obligation.

Caution:

1. The reporting responsibility has not been discharged until both the telephone call and written reports are complete.
2. School personnel are not to engage in any investigation of suspected cases. The investigation will be done by the child protective services office.
3. The reporting responsibility is an individual one which is NOT discharged by report to supervisors or administrators.

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

Disaster Plan (See Appendix C-F)

Each classroom, office, library and room on campus has a posting of the emergency procedures near the exit door. Emergency procedures are also posted in each classroom and are reviewed at the beginning of the school year for updates. Fire Drills are practiced each month of the school year. Earthquake drills are practiced four times a year and Lock Down drills are practiced yearly.

Public Agency Use of School Buildings for Emergency Shelters

Redlands East Valley HS, less than one mile away, is the designated Emergency Shelter for our attendance area.

(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines

Policy 5144.1: Suspension And Expulsion/Due Process

SUSPENSION AND EXPULSION

The Governing Board recognizes that maintaining an environment which promotes learning and protects the health, safety, and welfare of all students may require the suspension or expulsion of a student from regular classroom instruction. District policies and school site rules shall clearly identify district behavior standards

(cf. 5144 - Discipline)

Except in cases where suspension for a first time offense is warranted in accordance with law, suspension shall be imposed only when other means of correction fail to bring about proper conduct. (Education Code 48900.5)

Expulsion is an action taken by the Board for severe or prolonged breaches of discipline by a student. Except for single acts of a grave nature, expulsion is usually used only when there is a history of misconduct, when other forms of discipline, including suspension, have failed to bring about proper conduct, or when the student's presence causes a continuing danger to other students. (Education Code 48915)

The grounds for suspension and expulsion and the procedures for considering, recommending and/or implementing suspension and expulsion shall be specified in Administrative Regulation.

Each principal shall annually inform all students and parents/guardians of the school's discipline rules and procedures and of the availability of all district policies and regulations dealing with student discipline, suspension and expulsion. (Education Code 35291, 35291.5)

(cf. 5145.6 - Parental Notifications)

Suspended or expelled students shall be excluded from all school-related extracurricular activities during the suspension or expulsion.

cf. 6145 - Extracurricular and Cocurricular Activities)

ZERO TOLERANCE

The Board supports a zero tolerance approach to serious offenses in accordance with state and federal law. This approach makes the removal of potentially dangerous students from the classroom a top priority and ensures the standardized treatment of all students. Staff shall immediately report to the Superintendent/ designee any incidence of offenses specified in law, Board policy, and administrative regulation as cause for suspension or expulsion.

STUDENT DUE PROCESS

The Board shall provide for the fair treatment of students facing suspension and expulsion by affording them their due process rights under the law. The administration and staff shall comply with procedures for notices and appeals as specified in regulation.

Procedures governing student due process shall conform in all aspects to provisions in law. (Education Codes 48911, 48915 and 48915.5)

Whenever a student is suspended, school officials may (but are not required to) meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

cf. 5119 - Students Expelled from Other Districts

(cf. 5144.2 - Suspension and Expulsion/Due Process - Individuals with Exceptional Needs)

RIGHTS OF COMPLAINING WITNESS

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

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

1. Receive five days' notice of his/her scheduled testimony at the hearing
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies
3. Have a closed hearing during the time he/she testifies

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

ON-CAMPUS SUSPENSION PROGRAM

The Board recognizes that students who are suspended from school frequently have no supervision or guidance during the school hours when they are off campus. The Board believes that in many cases, instead of sending the student off campus, it would be better to address the student's misconduct by keeping the student at school and providing him/her with supervision that is separated from the regular classroom.

The Superintendent or designee shall examine alternatives to off-campus suspension and may establish a suspension program which involves progressive discipline during the school day on campus; using conferences between staff, parents/guardians and students; detention; student study teams or other assessment-related teams; and/or referral to school support services staff.

REQUIRED PARENTAL ATTENDANCE

The Board believes that parental involvement plays an important role in the resolution of classroom behavior problems. The Board expects that teachers will communicate with parents/guardians when behavior problems arise

Whenever a student is suspended from a class because he/she committed an obscene act, engaged in habitual profanity or vulgarity, disrupted school activities or otherwise willfully defied valid staff authority, the teacher of the class from which the student was suspended may require the student's parent/guardian to attend a portion of a school day in that class. After completing the classroom visit and before leaving school premises, the parent/guardian also shall meet with the principal or designee. (Education Code 48900.1)

The Board encourages teachers, before requiring parental attendance, to make reasonable efforts to have the parent/guardian visit the class voluntarily. The teacher also may consider informing the parent/guardian about available resources which may provide help in the development of parenting skills. Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the student and the parent/guardian and to improve classroom behavior.

Parental attendance may be required on the day the student returns to class or within one week thereafter. The principal or designee shall contact any parents/guardians who do not respond to the request to attend school. The Board recognizes that parental compliance with this policy may be delayed, modified or prevented by serious illness/injury/disability, absence from town, or inability to get certain release time from work.

The teacher shall apply this policy uniformly to all students within the classroom. This policy shall apply only to a parent/guardian who actually lives with the student. (Education Code 48900.1)

District regulations and school-site rules for student discipline shall include procedures for implementing parental attendance requirements.

Parents/guardians shall be notified of this policy before it is implemented and at the beginning of each subsequent school year. (Education Code 48900.1, 35291, 48980)

DECISION NOT TO ENFORCE EXPLUSION ORDER

In cases where expulsion is mandatory pursuant to Education Code 48915(c), the enforcement of an expulsion order shall not be suspended by the Board. In all other cases of expulsion, the order for expulsion may be suspended by the Board, on a case-by-case basis, pursuant to the requirements of law.

DEFINITIONS

Suspension from school means removal of a student from on going 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, nor referral to a certificated employee designated by the principal to advise students, nor removal from the class without reassignment to another class or program for the remainder of the period, without sending the student to the principal or designee.

2. Removal from a particular class shall not occur more than once every five school days. (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)

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

School property, for the purposes described in Education Code 48900, includes, but is not limited to, electronic files and databases. (Education Code 48900(s))

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, suspension and expulsion. Transfer students and their parents/guardians shall be notified at the time of enrollment. (Education Code 35291.5, 48900.1, 48980)

(cf. 5144 -Discipline)

(cf. 5145.6 Parental Notifications)

Notification shall include information about the ongoing availability of individual school rules and all district policies and regulations pertaining to student discipline. (Education Code 35291)

(cf. 5145.6 -Parental Notifications)

GROUND FORS SUSPENSION AND EXPULSIONS

Students may be suspended or recommended for expulsion when the Superintendent, principal, or principal's designee at the school in which the student is enrolled determines that the student has done any of the acts listed below:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense. (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However, a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code Board Policy Manual Redlands Unified School District 48900(s))

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

(cf. 5 131 - Conduct)

(cf. 5131. 7 - Weapons and Dangerous Instruments)

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

(cf. 5131.6 -Alcohol and Other Drugs)

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

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

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

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

8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products with prior approval of the principal or designee. (Education Code 48900(h))

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

10. Unlawfully possessed, or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code. (Education Code 48900(j))

11. Disrupted school activities or otherwise willfully defied 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))

12. Knowingly received stolen school property or private property. (Education Code 48900(1))
13. Possessed an imitation firearm, i.e., 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))
14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code 243.4. (Education Code 48900(n))
15. 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))
16. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug soma. (Education Code 48900(p))
17. Engaged in, or attempted to engage in, hazing as defined in Education Code 32050. (Education Code 48900(q))
18. Made terrorist threats against school officials and/or school property. (Education Code 48900.7)

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

19. Committed sexual harassment as defined in Education Code 212.5. (Education Code 48900.2)
20. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 33032.5. (Education Code 48900.3)
21. 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 Glasswork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment (Education Code 48900.4)

(cf. 5145.3 -Nondiscrimination/Harassment)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent/principal or within any other school district, including but not limited to the following circumstances:

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.

The Superintendent/principal may use his/her discretion to provide alternatives to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program. (Education Code 48900(r))

cf. 5138 -Conflict Resolution/Peer Mediation)

Alternatives to suspension or expulsion will be used against students who are truant, tardy, or otherwise absent from assigned school activities.

(cf. 5113 -Absences and Excuses)

(cf. 5113.1 - Truancy)

SUSPENSION FROM CLASS BY A TEACHER/PARENTAL ATTENDANCE

A teacher may suspend any student from the teacher's class for any of the acts listed under "Grounds for Suspension and Expulsion" above for the day of the suspension and the day following. (Education Code 48910)

Suspension from class means the removal of a student from class by a teacher for the day of the suspension and the next day. A teacher may suspend a student from class and may also refer a student for consideration of suspension from school for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

When suspending a student from his/her class, the teacher shall immediately report this action to the principal and send the student to the principal for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been suspended.

As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the suspension. A counselor or psychologist should attend the conference if it is practicable, and a school administrator may attend if either the parent/guardian or teacher so request.

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

A student suspended from class shall not be placed in another regular class during the period of suspension. However, if a student is assigned to more than one class per day, he/she may be placed in any 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 suspended student to complete any assignments and tests missed during the suspension. (Education Code 48913)

When a teacher requires a parent/guardian to attend school in accordance with Board Policy, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is required pursuant to law. (Education Code 48900.1)

1. This notice shall also tell the parent/guardian when his/her presence is expected and by what means he/she may arrange any necessary change.
2. The notice shall describe the protections afforded to the parent/guardian as an employee by Labor Code 230.7.
3. The notice shall state that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student.

The teacher shall remind the parent/guardian to meet with the principal or designee after completing the classroom visit and before leaving school premises.

SUSPENSION BY Superintendent, Principal Or Principal's Designee

A Superintendent, principal, or principal's designee may suspend a student from a school for any of the acts listed under "Grounds for Suspension and Expulsion" above for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

The Superintendent or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife, as defined in Education Code 48915(g), at another person.

3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.

4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item 414 under "Grounds for Suspension and Expulsion" above.

5. Possession of an explosive as defined in 18 USC 921.

Suspension may be imposed upon a first offense if the Superintendent, principal or designee determines the student violated items (i) - (v) listed in "Grounds For Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903 and 48912)

SUSPENSION PROCEDURES

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the principal or designee or the Superintendent or designee between 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 and the evidence against him/her and shall be given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911(b))

This conference may be omitted if the principal, designee or the Superintendent or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or school personnel. If the pre-suspension conference is not held, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference will be held as soon as the student is physically able to return to school. (Education Code 48911(c))

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior

A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee, who in turn will inform the Board.

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 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 also state the date and time when the student may return to school.

Should school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may also add that state law requires the parent/guardian to respond to such request without delay.

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

While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such conference. The student may not be denied readmission solely because the parent/guardian failed to attend. (Education Code 48911)

5. Extension of Suspension: If the expulsion of a suspended student is being considered by the Board, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision. (Education Code 48911(g))

Any extension of the original period of suspension shall be 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. Extension of the suspension may be made only if 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(g))

SUSPENSION BY THE BOARD

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal or Principal's 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 if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. 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 may hold closed sessions if a public hearing would lead to disclosure of information which would violate a student's right to privacy under Education Code 49073-49079.

(cf. 9321 -Closed Session Purposes and Agendas)

The Board shall provide the student with written notice of the closed session by registered or certified mail. Upon receiving this notice the student 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 shall be in closed session. (Education Codes 48912)

AUTHORITY TO EXPEL

A student may be expelled only by the Board. The Board shall expel, as required by law, any student found to have committed certain offenses listed below under "Mandatory Recommendation and Mandatory Expulsion."

The Board may also order a student expelled for any of the acts listed above under "Grounds for Suspension and Expulsion" upon recommendation by the principal, Superintendent, hearing officer or administrative panel, based on finding either or both of the following: (Education Code 48915(b) and (e))

1. That other means of correction are not feasible
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

MANDATORY RECOMMENDATION FOR EXPULSION

The principal, Superintendent or designee shall recommend a student's expulsion for any of the following acts, unless the principal or Superintendent or designee finds, and reports in writing to the Board, that expulsion is inappropriate due to particular circumstances which shall be set out in the report of the incident:

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife as defined in Education Code 48915(g), explosive 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 the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee.

MANDATORY RECOMMENDATION AND MANDATORY EXPULSION

The principal, Superintendent or designee shall recommend that the Board expel any student found at school or at a school activity off school grounds to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48915(c).1)
2. Brandishing a knife as defined in Education Code 48915(g) at another person. (Education Code 48915(c).2)
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058. (Education Code 48915(c).3)
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above. (Education Code 48915(c).4)
5. Possessing an explosive as defined in 18 USC 921.

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

STUDENT'S RIGHT TO AN EXPULSION HEARING

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred. (Education Code 48918(a))

The student is entitled to 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 district's discretion. (Education Code 48918(a))

If the district finds it impracticable 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))

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

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 48915.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Education Code 48915.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing.
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies.

3. Have a closed hearing during the time he/she testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48915.5)

WRITTEN NOTICE OF THE EXPULSION

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least ten 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. A parent/guardian of a student expelled for acts described in paragraphs through

4 of Education Code 48915(a), seeks enrollment in another district they must inform the new district of the student's status with the expelling district, pursuant to Education Code 48915.1.

(cf. 5119 -Students Expelled from Other Districts)

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

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.

Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and Education Code 35145, the Board shall conduct the hearing or arrange for an alternative 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 request is made, the meeting shall be public

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to deliberate and determine if the student should be expelled. If the Board admits any other person to the closed session, the parent/guardian, the student, counsel of the student and counsel of the parent/guardian shall also be allowed to attend the closed session. (Education Code 48918(c))

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

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

3. Presentation of Evidence: While technical rules of evidence do not apply to such hearings, 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 must be supported by substantial evidence that the student committed any of the above acts listed under "Grounds for Suspension and Expulsion" above. Findings of fact shall be based solely on the evidence at the hearing.

While no evidence 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) and

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 Witness: The following procedures shall be observed when hearings involve allegations of sexual assault or sexual battery by a student: (Education Code 48918)

- a. Any complaining witness shall be given five days' notice before being called to testify.
- b. Any complaining witness shall be entitled to have up to two adult support persons, including but not limited to a parent/guardian or legal counsel, present during his/her testimony.
- c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- e. If one or both support persons are also witnesses, the hearing shall be conducted according to Penal Code 868.5.
- f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard.

Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.

g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.

(1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.

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

(3) The person conducting the hearing may:

- (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness.
- (b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
- (c) Permit one of the support persons to accompany the complaining witness to the witness stand.

6. Decision Within Ten Days: The Board's decision on whether to expel a student shall be made within ten school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

7. Decision Within 40 Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

ALTERNATIVE 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. Alternatively, the Board may 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(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified in "Conduct of Expulsion Hearing" above.

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 student shall be immediately reinstated. (See "Reinstatement" below.) The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers and with the student's parent/guardian. (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))

The hearing officer or administrative panel may recommend that the Board suspend the expulsion for a period of one year. (See "Suspension of Expulsion" below.)

The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

STIPULATED EXPULSIONS

It is the policy of the Redlands Unified School District that, where approved by the Superintendent or designee, parents/guardians may agree to the expulsion of their pupil by stipulation without necessity of a hearing. This process will expedite the pupil's school placement and may expedite the rehabilitation process.

A stipulated expulsion must be purely voluntary. No district administrator or staff member may coerce a pupil, parent or guardian into entering into such a stipulation. Parents/guardians will be given three calendar days to decide on a stipulated expulsion agreement.

If the parent/guardian requests a stipulated expulsion, the Superintendent or designee will promulgate the stipulated agreement. If at any time the parent/guardian decides not to pursue a stipulated agreement, the expulsion proceedings and timelines, extended by the length of the period for consideration of the stipulation, will be reinstated. The stipulated agreement will be presented to the Board for final consideration.

The stipulated agreement will include the terms and conditions of the expulsion order, including alternative placement and a rehabilitation plan to be completed before the student can be re-admitted to the district.

FINAL ACTION BY THE BOARD

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel, the final action to expel must be taken by the Board at a public meeting. (Education Code 48918(f)) The Board shall maintain a record of each expulsion, including its cause. Expulsion records shall be non-privileged, disclosable public records.

(cf. 9321.1 - Closed Session Actions and Reports)

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

Upon ordering the 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 an act listed under "Mandatory Recommendation and Mandatory Expulsion" above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. (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 of the student at the time of review for readmission.
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service and other rehabilitative programs.
3. Such other recommendations as the Board approves.

With parental 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)

Upon expulsion, a copy of readmission procedures will be made available to the student and his/her parent/guardian.

WRITTEN NOTICE TO EXPEL

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

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed in Education Code 48900(a)-(o), Education Code 48900.2-48900.4 and Education Code 48915(c). (Education Code 48900.8)
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian. (Education Code 48916)
3. Notice of the right to appeal such expulsion to the County Board of Education. (Education Code 48918)
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion. (Education Code 48918)
5. The notice also shall inform the student or parent/guardian of his/her 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)

SUSPENSION OF EXPULSION

The Board, upon voting to expel a student, may suspend the enforcement of the expulsion order for not more than one calendar year. When deciding whether to suspend an expulsion, the Board shall take into account the following criteria:

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

The suspension of the enforcement of an expulsion shall be governed by the following: (Education Code 48917)

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.
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status.
3. The suspension of expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion" above or violates any of the district's rules and regulations governing student conduct.
4. When suspension of expulsion order is revoked, a student may be expelled under the terms of the original expulsion order
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expungement of any or all records of the expulsion proceedings.
6. Suspension 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 of Education.
7. 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 also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education. (Education Code 48918(i))

RIGHT TO APPEAL

The student or parent/guardian is entitled to file an appeal of the Board's decision to the County Board of Education.

The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion action is suspended and the student is placed on probation. (Education Code 48919)

Post-Expulsion Placements

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

(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for acts described in items #6 through # 13 and # 17 through # 19 under "Grounds for Suspension and Expulsion" above may be instead referred to a program of study that is provided at another comprehensive middle, junior, or senior high school, or at an elementary school.

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)

REINSTATEMENT

When the Board accepts a recommendation against expulsion or makes its own decision after the hearing not to expel, the decision is final and the student shall be reinstated immediately. The Superintendent or designee shall place the student in any classroom program, other instructional program, rehabilitation program, or any combination of such programs following consultation with district personnel, including the teacher involved, and with the student's parent/guardian. (Education Code 48918(e))

READMISSION

An expulsion order shall remain in effect until the Board may order the readmission of the student.

Readmission procedures shall be as follows:

1. A written request for review of expulsion action and request for readmission shall be submitted by the parent/guardian to the Superintendent or designee.
2. The Superintendent or designee will hold a conference with the parent/guardian and the student.
3. At the conference the conditions for readmission will be reviewed. The Superintendent or designee shall verify that the rehabilitation plan has been met.
4. School regulations will be reviewed and the student and parent/guardian will be asked to indicate in writing their willingness to comply with these regulations.
5. The Superintendent or designee will transmit the request for readmission to the Board, along with his/her recommendation. The Board shall consider the request in closed session if the information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it will be honored.
6. The Superintendent or designee will notify the student or parent/guardian, by registered mail, of the district's decision regarding readmission.
7. 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)
8. 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. (Education Code 48916)
9. 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)

MAINTENANCE OF RECORDS

The Board will maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls, within five days of a written request by the admitting school. (Education Code 48900.8, 48918(k))

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

cf. 5119 - Students Expelled from Other Districts)

(cf. 5125 - Student Records)

NOTIFICATIONS AND REPORTS

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

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 also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

OUTCOME DATA

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion.
2. The specific grounds for each recommended expulsion.
3. Whether the student was subsequently expelled.
4. Whether the expulsion order was suspended.
5. The type of referral made after the expulsion.
6. The disposition of the student after the end of the expulsion period.

SUSPENSION AND EXPULSION / DUE PROCESS

Redlands Unified
Administrative Regulation
AR 51441
Adopted June 27, 1995

Students

DEFINITIONS

Suspension from school 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. Removal from a particular class shall not occur more than once every five school days.

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

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian or legal counsel. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

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, suspension and expulsion. Transfer students and their parents/guardians shall be notified at the time of enrollment. (Education Code 35291.5, 48900.1, 48980)
(cf. 5144 - Discipline)

Notification shall include information about the ongoing availability of individual school rules and all district policies and regulations pertaining to student discipline. (Education Code 35291)
(cf. 5145.6 - Parental Notifications)

GROUNDINGS FOR SUSPENSION AND EXPULSION

A student may be subject to suspension or expulsion when it is determined that he/she:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense. (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aide or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code 48900(s))

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

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

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

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

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

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

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

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

10. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5. (Education Code 48900(j))

11. Disrupted school activities or otherwise willfully defied 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))

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

13. Possessed an imitation firearm, i.e., 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))

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

15. 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))

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

Pursuant to Education Code 48900.7, the making of a terrorist threat includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person or property damage in excess of \$1,000.00, 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.

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

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

Pursuant to Education Code 48900.2 the conduct constitutes harassment when considered from the perspective of a reasonable person of the same gender as the victim to be 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.

(cf. 5145.7 - Sexual Harassment)

18. 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)

(cf. 5145.9 - Hate-Motivated Behavior)

Education Code 233 defines "hate violence" as any act punishable under Penal Code 422.6, 442.7 or 422.75. Such acts include injuring or intimidating another person, interfering with the exercise of a person's civil rights, or damaging a person's property because of the person's race, color, religion, ancestry, national origin, disability, gender or sexual orientation.

19. Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading student rights by creating an intimidating or hostile educational environment. (Education Code 48900.4)

(cf. 5145.3 - Nondiscrimination/Harassment)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent or principal or within any other school district, including but not limited to the following circumstances: (Education Code 48900)

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.

The Superintendent or principal may use his/her discretion to provide alternative to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program. (Education Code 48900(r))

Alternatives to suspension or expulsion will be used with students who are truant, tardy, or otherwise absent from assigned school activities.

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Truancy)

Removal from Class by a Teacher/Parental Attendance

A teacher may suspend any student from his/her class for the remainder of the day and the following day for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

A teacher also may refer a student to the principal or designee for consideration of suspension from school. (Education Code 48910)

When removing a student from his/her class, the teacher shall immediately report this action to the principal and send the student to the principal for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been removed.

As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the removal. A counselor or psychologist should attend the conference if it is practicable, and a school administrator may attend if either the parent/guardian or teacher so requests.

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

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

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

Pursuant to Board policy, a teacher may provide that the parent/guardian of a student whom the teacher has removed attend a portion of a school day in his/her child's classroom. When a teacher makes this request, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is requested pursuant to law. (Education Code 48900.1)

This notice shall also:

1. Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternate date.
2. Describe the legal protections afforded to the parent/guardian as an employee under Labor Code 230.7.
3. State that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student.
4. Ask the parent/guardian to meet with the principal after the visit and before leaving school, as required by Education Code 48900.1.

Suspension by Superintendent, Principal or Principal's Designee

The Superintendent, principal or principal's designee may suspend a student from a school for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

The Superintendent or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife, as defined in Education Code 48915(g), at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion".
5. Possession of an explosive as defined in 18 USC 921.

Suspension also may be imposed upon a first offense if the Superintendent, principal or designee determines the student violated items #1-5 listed in "Grounds for Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903, 48912)

The Superintendent or designee may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which a student may be suspended in any school year. (Education Code 48903)

Suspensions shall be initiated according to the following procedures:

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the principal, designee or the Superintendent 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 and the evidence against him/her; the student shall be given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911(b))

This conference may be omitted if the principal, designee or the Superintendent determines that an emergency situation exists. An "emergency situation" involves 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 a conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference will be held as soon as the student is physically able to return to school. (Education Code 48911(c))

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee.

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 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 also state the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may add that state law requires the parent/guardian to respond to such requests without delay.

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

While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such conference. The student may not be denied readmission solely because the parent/guardian failed to attend. (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. (Education Code 48911(g))

Any extension of the original period of suspension shall be 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. Extension of the suspension may be made only if 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)

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal or Principal's 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 if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. 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 closed sessions if a public hearing would lead to disclosure of information violating a student's right privacy under Education Code 49073-49079.

(cf. 9321 - Closed Session Purposes and Agendas)

The Board shall provide the student and his/her parent/guardian with written notice of the closed session by or certified mail. 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 Codes 35146, 48912)

On-Campus Suspension Program

Students for whom an expulsion action has not been initiated and who pose no imminent danger or threat to the school may be assigned to a separate, supervised suspension classroom for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

1. The supervised suspension classroom shall be staffed in accordance with law.
2. The student shall have access to appropriate counseling services.
3. The supervised suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.
4. Each student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom. The teacher 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 a supervised 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 shall be made in writing. (Education Code 48911.1)

Mandatory Recommendation for Expulsion

Unless the principal, Superintendent or designee finds that expulsion is inappropriate due to particular circumstances, the principal, Superintendent or designee shall recommend a student's expulsion for any of the following acts: (Education Code 48915 (a))

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife as defined in Education Code 48915(g), explosive or other dangerous object of no reasonable use to the student.
3. Unlawful possession of any controlled substance, as listed in the Health and Safety Code 11053-11058, except for the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee.

Mandatory Recommendation and Mandatory Expulsion

Note: The Attorney General has determined, in 80 Ops.Cal. Atty. Gen. 347 (1997), that a district may not adopt a zero tolerance policy mandating expulsion of a student for a first offense of possession of a controlled substance or alcohol.

The principal, Superintendent or designee shall recommend that the Board expel any student found at school or at a school activity to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife as defined in Education Code 48915(g) at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above.
5. Possessing an explosive as defined in 18 USC 921.

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

The initial recommendation for consideration of expulsion is that of the school principal or the Superintendent. Designees may not make this type of recommendation.

The recommendation for consideration of expulsion shall be submitted to the Director, Office of Student Services, who will review the material and recommend:

1. Reassignment to appropriate regular education program.
2. Refer student to Alternative Program; i.e., Community School, Independent Study, Continuation or Opportunity School, or other district programs.
3. Refer the matter to the Discipline Review Panel for further consideration.

When a case is referred to the discipline Review Panel, the panel shall question school personnel who have information on the incident and the behavior record of the student charged and weighs the evidence presented.

The panel shall, in the case of an expulsion consideration, weigh information presented to determine:

- a. Is the evidence sufficient to support consideration by the expulsion panel?
- b. Has the district, through the schools involved, considered or utilized alternatives to expulsion when possible?
- c. Have due process procedures been adhered to?

The recommendation shall be either to proceed with the expulsion or to utilize an existing practical alternative in lieu of expulsion.

If the district (school) has not adhered to due process requirements, the student shall be returned to school immediately.

If the Discipline Review Panel meets to consider a matter other than an expulsion, it shall provide its best judgment as to an effective alternative program or plan to action.

The recommendation of the Discipline Review Panel shall be forwarded to the Director, Office of Student Services, who shall then review the facts, concur, veto or modify the recommendation.

4. That an expulsion panel be convened.

At the time a recommendation for expulsion is submitted, a hearing shall be scheduled by the Superintendent or designee to determine whether the suspension shall be extended. If the decision is to extend the suspension, the period of time shall be until the Board has rendered a decision or until the expulsion process is otherwise terminated.

The extension of suspension shall be based upon determination by the Superintendent or designee that the presence of the student at the school or in an alternative school placement would cause a danger to persons or property or a threat of disrupting the instructional process. This extension shall be imposed only after the student and the parent/guardian have been given the opportunity to be present at a hearing conducted by the Superintendent or designee. At this time, the student and parent/guardian shall be given the opportunity to be heard and present any information that might bear upon the decision.

Materials which support the decision of the person recommending the expulsion shall be prepared and submitted to the Office of Student Services. The departments of Attendance, Guidance, Special Education and/or Health may be requested to assist in the preparation of this material.

Student's Right to Expulsion Hearing

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred. (Education Code 48918 (a))

The student is entitled to 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 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 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 no 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))

Waiver of Hearing (Default Proceedings)

If the parent/guardian agrees that their son/daughter behaved essentially in the manner stated in the principals letter recommending expulsion and that such behavior constitutes a violation of the California Education Code, Section 48900, 48900.2, 48900.3, 48900.4, 48900.7 and/or 48915 a suspendable/expellable offense, the parent/guardian may request to waive the Administrative Hearing Panel.

When the parent/guardian agrees to waive the Administrative Hearing Panel, they also waive all notification and timelines related to the expulsion hearing process, along with their rights to appeal the determination of the Board.

The signed affidavit and findings of fact will be submitted to the Board for their approval. The Board has the discretionary power to accept, reject, or modify all recommendations.

Rights of Complaining Witness

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

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

1. Receive five days' notice of his/her scheduled testimony at the hearing.
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies.
3. Have a closed hearing during the time he/she testifies.

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

Written Notice of the Expulsion Hearing (Education Code 48918(b))

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

1. The date and place of the hearing.
2. A statement of the specific facts, charges and offense upon which the proposed expulsion is based.
3. A copy of district disciplinary rules which relate to the alleged violation.
4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment. This obligation applies when a student is expelled for acts other than those described in Education Code 48915 (a) or (c).
(cf. 5119 - Students Expelled from other Districts)

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

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

Non-attorney advisor 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.

CONDUCT OF EXPULSION HEARING

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and 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 request is made, the meeting shall be public, unless another student's privacy rights would be violated.

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to determine if the student should be expelled. If the Board admits any other person to the closed session, the parent/guardian, the student, and the counsel of the student, shall also be allowed to attend the closed session. (Education Code 48918(c))

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

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

3. Subpoenas: Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with the Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20, formerly 11525. (Education Code 48918(i))

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

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

4. Presentation of Evidence: While technical rules of evidence do not apply to expulsion hearings, 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 must be supported by substantial evidence that the student committed any of the acts listed in "Grounds for Suspension and Expulsion" above.

Findings of fact shall be based solely on the evidence at the hearing. While no evidence 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) and (h))

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

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

- a. Any complaining witness shall be given five days' notice before being called to testify.
 - b. Any complaining witness shall be entitled to have up to two adult support persons, including but not limited to a parent/guardian or legal counsel, present during his/her testimony.
 - c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
 - d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
 - e. If one or both support persons are also witnesses, the hearing shall be conducted according to Penal Code 868.5.
 - f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.
 - g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.
 - (1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.
 - (2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.
 - (3) The person conducting the hearing may:
 - (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness.
 - (b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
 - (c) Permit one of the support persons to accompany the complaining witness to the witness stand.
6. Decision Within 10 Days: The Board's decision on whether to expel a student shall be made within 10 school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))
7. Decision Within 40 Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

ALTERNATIVE EXPULSION HEARING: Hearing Officer or Administrative Panel

Instead of conducting an expulsion hearing itself, the Board may contract with the county hearing officer or with the Office of Administrative Hearings of the State of California for a hearing officer. Alternatively, the Board may 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(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified in "Conduct of Expulsion Hearing."

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 student shall be immediately reinstated. (See "Reinstatement.") The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers, and with the student's parent/guardian. (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 for a period of one year. (See "Decision Not to Enforce Expulsion Order" below.)

The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

The Discipline Review Panel

The Discipline Review Panel will consist of elementary educators when a review is being made of an elementary student and of secondary educators when a review is being made of secondary student.

1. The Discipline Review Panel shall hear the following types of disciplinary cases:
 - a. Requests for expulsion from site principals or the Superintendent.
 - b. School site administrative requests for assistance (non-expulsion situations).
2. Each discipline review panel shall consist of three certificated persons plus a chairperson and shall consist of elementary educators when a review is being made of an elementary student and of secondary educators when a review is being made of a secondary student. A panelist may not serve on any panel involving a student who is currently attending the school in which he/she is assigned. A representative from Student Services shall be a nonvoting member of each panel.

A chairperson and assistant chairperson, to serve when the chairperson is unable to serve, shall be appointed by the Superintendent or designee and shall serve at his/her pleasure. Neither shall be a member of the Student Services staff.

A pool of panelists shall be established which shall be composed of personnel who have served or are currently serving as members of administrative expulsion panels. The committee chairman shall select members to serve on individual panels.

The meetings of the discipline review panel are open to school district personnel only.

The duties of the Discipline Review Panel are as follows:

1. The chairperson shall call a meeting of the panel as soon as possible, but no later than 10 school days after the receipt of notice of a pending case.
2. A recommendation must be forwarded to the Director, Office of Student Services, within three days of the review hearing.
3. In the event a member of the committee cannot be present at a meeting, the Director, Office of Student Services, will appoint an alternate from the pool to attend.

Post-Expulsion Placements

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

(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for acts described in items #6 through #13 and #17 through #19 under "Grounds for Suspension and Expulsion" may be instead 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)

Maintenance of Records

The Board shall maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls, within five days of a written request by the admitting school. (Education Code 48900.8, 48918(k))

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

(cf. 5119 - Students Expelled from Other Districts)

(cf. 5125 - Student Records)

NOTIFICATIONS 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 also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering or sale of controlled substances, alcohol, or intoxicants of any kind. (Education Code 48

OUTCOME DATA

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion.
2. The grounds for each recommended expulsion.
3. Whether the student was subsequently expelled.
4. Whether the expulsion order was suspended.
5. The type of referral made after the expulsion.
6. The disposition of the student after the end of the expulsion period.

Regulation: REDLANDS UNIFIED SCHOOL DISTRICT

Approved: June 27, 1995, Redlands, California

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

Pursuant to Ed Code 49079, the district provides teachers information about previously suspended or expelled students for three years after the incident. This includes notification and access (upon request) to paperwork and information about prior incidents that are on file, in the cumulative record.

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

Policy 4119.11: Sex Discrimination and Sex-Based Harassment

The Governing Board is committed to providing a safe work environment that is free of harassment and intimidation. The Board prohibits sexual harassment against district employees by anyone, in any manner, and prohibits retaliatory action or behavior against any persons who complains, testifies, or otherwise participates in the complaint process established pursuant to this policy and accompanying administrative regulation. This policy shall apply to all district employees, interns, volunteers, contractors, job applicants, and other persons with an employment relationship with the district.

(cf. 0410 - Nondiscrimination in District Programs and Activities) (cf. 4030 - Nondiscrimination in Employment)

Sexual harassment includes, but is not limited to, harassment that is based on the sex, gender, gender identity, gender expression, or sexual orientation of the victim and harassment based on pregnancy, childbirth, or related medical conditions.

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation, and correction of sexual harassment, including but not limited to:

1. Providing training to all staff in accordance with law and administrative regulation.
2. Publicizing and disseminating the district's sexual harassment policy to staff.
3. Ensuring prompt, thorough, equitable, and fair investigation of complaints
4. Taking timely and appropriate corrective/remedial actions which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments.

The Superintendent or designee shall periodically evaluate the effectiveness of the district's strategies to prevent and address harassment. Such evaluation may involve conducting regular anonymous employee surveys to assess whether harassment is occurring or is perceived to be tolerated, partnering with researchers or other agencies with the needed expertise to evaluate the district's prevention strategies, and using any other effective tool for receiving feedback on systems and/or processes. As necessary, changes shall be made to the harassment policy, complaint procedures, or training.

Sexual Harassment Reports and Complaints

Any district employee who feels that he/she has been sexually harassed in the performance of their district responsibilities or who has knowledge of any incident of sexual harassment by or against another employee shall immediately report the incident to his/her supervisor, the principal, other district administrator, or the district's Title IX Coordinator. However, an employee may bypass his/her supervisor in filing a complaint if the supervisor is the subject of the complaint. A supervisor, principal, or district administrator who receives a harassment complaint shall promptly notify the Title IX Coordinator.

Once notified, the Title IX Coordinator shall ensure the complaint or allegation is addressed through AR 4119.12/4219.12/4319.12 – Title IX Sexual Harassment Complaint Procedures or AR 4030- Nondiscrimination in Employment, as applicable. Because a complaint or allegation that is dismissed or denied under the Title IX complaint procedure may still be subject to consideration under state law, the Title IX Coordinator shall ensure that any implementation of AR 4119.12/4219.12/4319.12 concurrently meets the requirements of AR 4030.

Notwithstanding the above, BP/AR 4119.12/4219.12/4319.12 and 4030 shall under no circumstances be used to resolve complaints brought by, on behalf of, or against students. All complaints brought by, on behalf of, or against students that allege “sexual harassment” as that term is defined in the federal regulations implementing Title IX of the Education Amendments of 1972 (see 34 C.F.R. § 106, et seq.) shall be investigated and resolved under BP/AR 5145.71. All complaints brought by, on behalf of, or against students that do not meet the definition of “sexual harassment” as set forth in the Title IX implementing regulations shall be investigated and resolved under BP/AR 1312.3.

(cf. 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaints)

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

Upon investigation of a sexual harassment complaint, any district employee who engages, or participates in sexual harassment, or who aids, abets, incites, compels, or coerces another to commit sexual harassment in violation of this policy is subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Reports) (cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4218 -

Dismissal/Suspension/Disciplinary Action)

Regulation 4119.12: Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures

The complaint procedures described in this administrative regulation shall be used to address any complaint governed by Title IX of the Education Amendments of 1972 alleging that a district employee, while in an education program or activity in which a district school exercises substantial control over the context and respondent, was subjected to one or more of the following forms of sexual harassment: (34 CFR 106.30, 106.44)

1. A district employee conditioning the provision of a district aid, benefit, or service on a person's participation in unwelcome sexual conduct
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291 (cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

All other sexual harassment complaints or allegations shall be investigated and resolved in accordance with AR 4030

- Nondiscrimination in Employment. The determination of whether the allegations meet the definition of sexual harassment under Title IX shall be made by the district's Title IX Coordinator.

(cf. 4030 - Nondiscrimination in Employment)

Because the complainant has a right to pursue a complaint under AR 4030 for any allegation that is dismissed or denied under the Title IX complaint procedure, the Title IX Coordinator shall ensure that all requirements and timelines for AR 4030 are concurrently met while implementing the Title IX procedure.

Reporting Allegations/Filing a Formal Complaint

An employee who is the alleged victim of sexual harassment may submit a report of sexual harassment to the district's Title IX Coordinator using the contact information listed in AR 4119.11/4219.11/4319.11 - Sexual Harassment or to the employee's direct supervisor or other district administrator, who shall forward the report to the Title IX Coordinator within one day of receiving the report. Upon receiving such a report, the Title IX Coordinator shall inform the complainant of the right to file a formal complaint and the process for filing a formal complaint.

A formal complaint, with the complainant's physical or digital signature, may be filed with the Title IX Coordinator in person, by mail, by email, or by any other method authorized by the district. (34 CFR 106.30)

Even if the alleged victim chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations when a safety threat exists. In addition, the Title IX Coordinator may file a formal complaint in other situations as permitted under the Title IX regulations, including as part of the district's obligation to not be deliberately indifferent to known allegations of sexual harassment. In such cases, the Title IX Coordinator shall provide the alleged victim notices as required by the Title IX regulations at specific points in the complaint process.

The Title IX Coordinator, investigator, decision-maker, or a facilitator of an informal resolution process shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. Such persons shall receive training in accordance with 34 CFR 106.45. (34 CFR 106.45)

Supportive Measures

Upon receipt of a report of Title IX sexual harassment, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures and shall consider the complainant's wishes with respect to the supportive measures implemented. Supportive measures shall be offered as appropriate, as reasonably available, and without charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures shall be nondisciplinary, nonpunitive, and not unreasonably burden the other party, including measures designed to protect the safety of all parties or the district's educational environment or to deter sexual harassment. Supportive measures may include, but are not limited to, counseling, extensions of deadlines, modifications of work schedules, mutual restrictions on contact, changes in work locations, leaves of absence, increased security, and monitoring of certain areas of the campus. (34 CFR 106.30, 106.44)

The district shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the district's ability to provide the supportive measures. (34 CFR 106.30)

Emergency Removal

If a district employee is the respondent, the employee may be placed on administrative leave during the pendency of the formal complaint process. (34 CFR 106.44)

If the respondent is a student, the district may, on an emergency basis, remove the student from the district's education program or activity, provided that the district conducts an individualized safety and risk analysis, determines that removal is justified due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations, and provides the student with notice and an opportunity to challenge the decision immediately following the removal. This authority to remove a student does not modify a student's rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973. (34 CFR 106.44)

Dismissal of Complaint

The Title IX Coordinator shall dismiss a formal complaint if the alleged conduct would not constitute sexual harassment as defined in

34 CFR 106.30 even if proved. The Title IX Coordinator shall also dismiss any complaint in which the alleged conduct did not occur in the district's education program or activity or did not occur against a person in the United States, and may dismiss a formal complaint if the complainant notifies the district in writing that the complainant would like to withdraw the complaint or any allegations in the complaint, the respondent is no longer employed by the district, or sufficient circumstances prevent the district from gathering evidence sufficient to reach a determination with regard to the complaint. (34 CFR 106.45)

Upon dismissal, the Title IX Coordinator shall promptly send written notice of the dismissal and the reasons for the dismissal simultaneously to the parties and shall inform them of their right to appeal the dismissal of a formal complaint or any allegation in the complaint in accordance with the appeal procedures described in the section "Appeals" below. (34 CFR 106.45)

If a complaint is dismissed, the conduct may still be addressed pursuant to AR 4030 - Nondiscrimination in Employment as applicable.

Informal Resolution Process

When a formal complaint of sexual harassment is filed, the district may offer an informal resolution process, such as mediation, at any time prior to reaching a determination regarding responsibility. The district shall not require a party to participate in the informal resolution process or to waive the right to an investigation and adjudication of a formal complaint. (34 CFR 106.45)

The district may facilitate an informal resolution process provided that the district: (34 CFR 106.45)

1. Provides the parties with written notice disclosing the allegations, the requirements of the informal resolution process, the right to withdraw from the informal process and resume the formal complaint process, and any consequences resulting from participating in the informal resolution process, including that records will be maintained or could be shared.
2. Obtains the parties' voluntary, written consent to the informal resolution process

Written Notice

If a formal complaint is filed, the Title IX Coordinator shall provide the known parties with written notice of the following: (34 CFR 106.45)

1. The district's complaint process, including any informal resolution process
2. The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known. Such notice shall be provided with sufficient time for the parties to prepare a response before any initial interview. If, during the course of the investigation, new Title IX allegations arise about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.
3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process
4. The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an attorney, and the ability to inspect and review evidence
5. The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process

The above notice shall also include the name of the investigator, facilitator of an informal process, and decision-maker and shall inform the parties that, if at any time a party has concerns regarding conflict of interest or bias regarding any of these persons, the party should immediately notify the Title IX Coordinator.

Investigation Procedures

During the investigation process, the district's designated investigator shall: (34 CFR 106.45)

1. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and

exculpatory evidence

2. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence
3. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney
4. Not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding, although the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as the restrictions apply equally to both parties
5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate
6. Send in an electronic format or hard copy to both parties and their advisors, if any, the evidence obtained as part of the investigation that is directly related to the allegations raised in the complaint, and provide the parties at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report
7. Objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and determine credibility in a manner that is not based on a person's status as a complainant, respondent, or witness
8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review and written response

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. (34 CFR 106.45)

Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.

If the complaint is against an employee, rights conferred under an applicable collective bargaining agreement shall be applied to the extent they do not conflict with the Title IX requirements.

Written Decision

The Superintendent shall designate an employee as the decision-maker to determine responsibility for the alleged conduct, who shall not be the Title IX Coordinator or a person involved in the investigation of the matter. (34 CFR 106.45)

After the investigative report has been sent to the parties but before reaching a determination regarding responsibility, the decision-maker shall afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party.

The decision-maker shall issue, and simultaneously provide to both parties, a written decision as to whether the respondent is responsible for the alleged conduct. (34 CFR 106.45)

The written decision shall be issued within 60 calendar days of the receipt of the complaint.

The timeline may be temporarily extended for good cause with written notice to the complainant and respondent of the extension and the reasons for the action. (34 CFR 106.45)

In making this determination, the decision-maker shall use the "preponderance of the evidence" standard for all formal complaints of sexual harassment. (34 CFR 106.45)

The written decision shall include the following: (34 CFR 106.45)

1. Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR 106.30

2. A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the district includes hearings as part of the grievance process
3. Findings of fact supporting the determination
4. Conclusions regarding the application of the district's code of conduct or policies to the facts
5. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's educational program or activity will be provided by the district to the complainant
6. The district's procedures and permissible bases for the complainant and respondent to appeal

Appeals

Either party may appeal the district's decision or dismissal of a formal complaint or any allegation in the complaint, if the party believes that a procedural irregularity affected the outcome, new evidence is available that could affect the outcome, or a conflict of interest or bias by the Title IX Coordinator, investigator(s), or decision-maker(s) affected the outcome. If an appeal is filed, the district shall: (34 CFR 106.45)

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties
2. Ensure that the decision-maker(s) for the appeal is trained in accordance with 34 CFR 106.45 and is not the same decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator
3. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome
4. Issue a written decision describing the result of the appeal and the rationale for the result
5. Provide the written decision simultaneously to both parties

An appeal must be filed in writing within 10 calendar days of receiving the notice of the decision or dismissal, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered.

A written decision shall be provided to the parties within 20 calendar days from the receipt of the appeal.

Either party has the right to file a complaint with the U.S. Department of Education's Office for Civil Rights within 180 days of the date of the most recently alleged misconduct.

The complainant shall be advised of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal antidiscrimination laws, if applicable.

Remedies

When a determination of responsibility for sexual harassment has been made against the respondent, the district shall provide remedies to the complainant. Such remedies may include the same individualized services described above in the section "Supportive Measures," but need not be nondisciplinary or nonpunitive and need not avoid burdening the respondent. (34 CFR 106.45)

Disciplinary Actions

The district shall not impose any disciplinary sanctions or other actions against a respondent, other than supportive measures as described above in the section "Supportive Measures," until the complaint procedure has been completed and a determination of responsibility has been made. (34 CFR 106.44)

When an employee is found to have committed sexual harassment or retaliation, the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Report)

(cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4119.11/4219.11/4319.11 - Sexual Harassment) (cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Record-Keeping

The Superintendent or designee shall maintain, for a period of seven years: (34 CFR 106.45)

1. A record of all reported cases and Title IX investigations of sexual harassment, any determinations of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary sanctions imposed, any remedies provided to the complainant, and any appeal or informal resolution and the results therefrom.
2. A record of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment, including the district's basis for its conclusion that its response was not deliberately indifferent, the measures taken that were designed to restore or preserve equal access to the education program or activity, and, if no supportive measures were provided to the complainant, the reasons that such a response was not unreasonable in light of the known circumstances.
3. All materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process. The district shall make such training materials publicly available on its web site, or if the district does not maintain a web site, available upon request by members of the public.

(cf. 1113 - District and School Web Sites) (cf. 3580 - District Records)

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

Policy 5132.16: Student Dress Guidelines

The Governing Board believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Students' clothing must not present a health or safety hazard or a distraction which would interfere with the educational process.

Students and parents/guardians shall be informed about dress and grooming standards at the beginning of the school year and whenever these standards are revised. A student who violates these standards shall be subject to appropriate 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 dress code may be included as part of the school safety plan and must be presented to the Board for approval. The Board shall approve the plan upon determining that it is necessary to protect the health and safety of the school's students.

Uniforms

The Board recognizes that, in order to promote student safety and discourage peer rivalry and/or gang activity, the principal, staff and parent/guardian at a school site may wish to establish a reasonable dress code, which may include voluntary school uniforms.

Dress codes, which include voluntary school uniforms, may be included as part of the school safety plan submitted as required.

The Superintendent or designee shall establish procedures that schools, parents and guardians will follow if they decide to participate with the voluntary school uniform policy. Students shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardian decide not to participate.

The Governing Board feels that there is nothing inherently wrong with dress or color of dress, but when student's dress serves to intimidate or impede the rights of other students it will be determined that dress is in violation of this policy. A student may not remain at school dressed in a manner which (1) creates a safety hazard for said student or for other students at school, and/or (2) when the dress constitutes a serious and unnecessary distraction to the learning process or tends to disrupt campus order

When the site administrator/designee determines that a student's attire is in violation of this policy, the student will be required to modify his/her clothing and/or apparel in such a manner that it no longer violates this policy. If necessary, the student may be taken or sent home with parental permission to modify unacceptable dress and return to school. Refusal to take steps as described in this policy shall be cause for disciplinary action against the student. Any such disciplinary action shall be handled pursuant to existing student disciplinary policy

Parents/guardians have primary responsibility to see that students are properly attired for school. School district personnel have the responsibility for maintaining proper and appropriate conditions conducive to learning. Hence, the following guidelines will be implemented in all district schools.

1. Shoes will be worn at all times. A substantial sole is required and enclosed toe and heel footwear are highly encouraged.
2. Extremely brief garments that are distracting to the educational environment are not appropriate. Clothing shall be sufficient to conceal undergarments at all times.
3. Clothing or accessories shall be free of writing, pictures or any other insignia which are crude, violent, obscene or sexually suggestive or which advocate racial, ethnic or religious prejudice or the use of tobacco, drugs or alcohol.
4. Earrings, jewelry, or accessories which present a safety hazard to the wearer or others are not suitable for school wear.
5. Only prescription sunglasses may be worn in class. Other types of sunglasses may be worn on campus outside of class.
6. Identified gang attire such as bandannas, haircuts or hair rollers, or any gang paraphernalia are prohibited.

Students are allowed to wear sun protective clothing, including hats, while outdoors during the school day. Each school site will develop a policy indicating the type of sun protective hats that are permitted.

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

The purpose of adopting these Student Dress Guidelines is not to infringe on any individual student's rights to freedom of expression, but rather to encourage students to dress appropriately and come to school properly prepared for participating in the educational process.

Gang-Related Apparel

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed as needed and updated as necessary.

Uniforms

In schools where a majority of parents respond and indicate on a survey that they desire to establish a voluntary school-wide uniform dress code, the principal, staff and the parents/guardians of the individual school site shall:

1. Jointly select the specific uniform to be worn. (Education Code 35183)
2. Describe the uniform parts and identify local vendors who sell those pieces of clothing. A description of the implementation of the voluntary uniform dress code will be submitted to the superintendent's designee including:
 - a. The process for parent notification
 - b. Positive procedures that will be used to encourage students to participate with the voluntary uniform dress code
3. A description of the uniform and a list of costs for each competitively priced item of clothing as provided by a variety of vendors will be sent to parents.
4. Parents will be notified that this is a voluntary uniform dress code and that students not participating shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardians so decide.

Parent Notification

The principal shall give parents/guardian at least six months notice before a school site implements a voluntary school uniform dress code. (Education Code 35183)

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

Crafton has a single point of entry during the active school day. All students, parents and staff entering our school during the school day must come through the office. Locked fencing encircles our property and ensures these paths of ingress and egress are in place. Staff members sign-in daily with RAPTOR. Parents entering campus sign-in via RAPTOR. Parent volunteers must be approved by the school board, including being fingerprinted. For 15 minutes before and after school, gates on the North and East campus are opened and monitored by multiple staff members to ensure only students enter campus and that students exit campus into the care of their parent or guardian.

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

Component:

Physical Environment

The Schools' Location and Physical Environment

Crafton Elementary is located in the Redlands Police Department area of San Bernardino County that has an average crime rate and average/above average poverty level. The immediate area around the school includes single-family dwellings, one of the largest collective groups of apartments within the city boundaries, two mobile home parks, as well as three retail complexes and a number of small businesses. Present safety hazards include students who live within the boundaries of Crafton Elementary School but are in need of transportation; Many of these students have access to district transportation but choose to walk or ride their bicycles/scooters to school; Crafton Elementary is located on a very busy 4-lane street with vehicular traffic often exceeding safe and prudent speeds; The city of Redlands provides crossing guards for pedestrian traffic coming to/from school.

Description of School Grounds

The school site encompasses 14.01 acres. The grounds are grass, concrete and asphalt and includes basketball courts, baseball diamonds and a lined track. There are several wings and/or clusters of classrooms including 30 classrooms, 10 of which are relocatable classrooms. Other ancillary structures include relocatable classroom buildings used for Innovation Lab. There are additional areas on campus that are used for intervention purposes, special education meetings and group counseling. The campus also includes an Multiple Purpose Room, Staff Room, Library, Innovation Lab, and an Office/Administrative Building.

During the school day, staff members and administrators shall provide campus supervision. Identified problem areas receive increased supervision to reduce discipline, crime, or other school safety concerns.

It shall be the practice of Crafton Elementary to remove all graffiti from school property before pupils arrive to begin their school day. Other acts of vandalism are promptly addressed.

Maintenance of School Buildings/Classrooms

The school's physical facility is well maintained and generally looks neat and clean. The school was most recently painted summer of 2022 renovated during the 2021-2022 year. District personnel periodically examine the school's physical facility and help eliminate obstacles to school safety. Additionally, health and fire department inspectors contribute to school safety.

In addition, repairs and upgrades are done through the online work order system.

Internal Security Procedures

Crafton Elementary has established procedures in the following areas: California Safe School Assessment (CSSA) reporting procedures, suspension and expulsion procedures, inventory system, and RAPTOR visitor check in system with an I.D. check through Megan's Law. Once volunteers have gone through the RAPTOR visitor check-in they are given a sticker to alert all staff on campus that they have been approved by the board of education and RAPTOR, and can be on campus. All staff also participates in the RAPTOR staff check in system daily. Crafton Elementary holds monthly fire drills along with 2 lockdown drills and 4 earthquake drills, along with monthly disaster planning checks.

Crafton Elementary crime statistics reflect a total of 1 crimes reported during the 2023-2024 year.

Keeping reportable crimes at a minimum requires constant vigilance. The following strategies will be utilized in achieving this goal Implementation of progressive discipline plans in each and every classroom, campus monitoring at recess times by hourly employees, a firm and consistent discipline policy enforced by school administration. Crafton Elementary also follows the RAPTOR safety protocols for both staff, community, and volunteers. The campus has video cameras put in place, Redlands Police Department campus checks, all gates are locked at the start of the school day, classroom doors are to remain locked during the day, See something, Say Something, Hear Something reporting signs located in all classrooms and meeting areas, along with all DOJ-approved postings. The signs also share CSF hotline info and Sprigeo hotline information. Crafton Elementary is a single point of entry school.

Crafton Elementary maintains a copy of the district's sexual harassment policy in the main office/principal's office and the policy is available on request. The District's Sexual Harassment Policy contains dissemination plans, applicable definitions, reporting requirements, investigation procedures, enforcement regulations, and information related to suspension and/or expulsion for sexual harassment of or by pupils. Additionally, a notice summarizing this sexual harassment policy appears in the Parent & Student Handbook, The parent student handbook is distributed at the beginning of each school year to all parents and pupils.

To ensure the safety of pupils and staff, all visitors to the campus, except pupils of the school and staff members, shall register immediately upon entering any school building or grounds when school is in session. District employees, not assigned to Crafton Elementary shall wear appropriate identification badges while on campus conducting business.

Discipline procedures shall focus on finding the cause of problems and working with all concerned to reach the proper, lawful solutions. The school's discipline plan begins at the classroom level. Teachers shall use a visible classroom management plan to communicate classroom rules, promote positive pupil conduct, and reduce unacceptable conduct. Appropriate consequences are administered based on the seriousness of the pupil's misbehavior.

Pupil conduct standards and consequences for Crafton Elementary are specifically described in this Comprehensive Schools Safety Plan including: (a) the adopted school discipline rules and procedures, (b) District Disciplinary Guidelines, and (c) the adopted school-wide dress code.

Pupils may be suspended, transferred to another school, or recommended for expulsion for certain acts. For specific student violations, a mandatory expulsion recommendation shall be submitted by the administration of Crafton Elementary.

Site administrators contribute to a positive school climate, promote positive pupil behavior, and help reduce inappropriate conduct. The principal/designee uses available district and other appropriate records to inform teachers of each pupil identified under E.C. 49079.

Law enforcement is contacted and consulted to help maintain and to promote a safe and orderly school environment. Crafton Elementary employees comply with all legal mandates, regulations, and reporting requirements for all instances of suspected child abuse.

If appropriate, additional internal security procedures affecting the integrity of the school facility include: updating cameras for monitoring the campus. Security officers also perform site visits routinely. Crafton Elementary provides counseling services, along with IEP, IST, BSP meetings, and Aeries documentation and communication to the school community.

Community involvement is encouraged to help increase school safety.

A Safety Committee comprised of parents, staff, and students meets twice yearly. The campus has video cameras put in place, Redlands Police Department campus checks, all gates are locked at the start of the school day, classroom doors are remain locked during the day, See something, Say Something, Hear Something reporting signs located in all classrooms. The signs also share CSF hotline info and Spriggio hotline information. Crafton Elementary is a single point of entry school.

Inventory System - Engraved ID, Security Storage

Most school-site equipment has a metal ID tag or a bar cod sticker adhered to its surface. These items are inventoried annually and there is an established accountability system. Office and classroom supplies are secured.

Element:

Goal 1:

Showcase PBIS and SEL on campus

Opportunity for Improvement:

I. Areas of Pride and Desired Improvements

a. Pride

1. Functional and visual aesthetics around campus
2. Safe and Secure campus with a single point of entry

b. Areas of Desired Improvement

1. Create a learning/reading space on the outside patio of the Library for students to engage in reading
2. Murals on campus

Objectives	Action Steps	Resources	Lead Person	Evaluation
II. Desired Change #1 Create/update outside reading space at the Library to engage students in reading outside	a. Related Strategies and Activities 1. Update/reorganize tables/umbrellas for outdoor reading	b. Resources Required 1. Large picnic tables and small round outside tables. 2. Umbrella e. Budget 1. Character Ed. Funds & General Fund 2. \$3,000 as outlined in SPSA	c. Personnel Assignments 1. Support from custodian and monthly Safety reports 2. Collaboration from Librarian and custodians on ensuring the umbrella is out when needed	f. Evaluation criteria 1. Completed project 2. d. Timeframe for completion 1. Spring 2025 2.
III. Desired Change #2 Murals on Campus	a. Related Strategies and Activities 1. Create areas that inspire students to learn 2. Positive visuals throughout campus.	b. Resources Required 1. An Artist to paint the Mural 2. Materials (If it is a collaborative piece of art.) e. Budget 1. \$3,000 from Character Education funds as stated in the SPSA 2.	c. Personnel Assignments 1. Approval from the District 2.	f. Evaluation criteria 1. The Leadership and SSC team will agree on the image. 2. d. Timeframe for completion 1. Spring/Summer 2025 2.

Component:

School Climate

The School's Social Environment

Leadership at Crafton Elementary is a shared process. A proactive role is assumed in all phases of the school operation. The current management team is committed to developing Crafton Elementary toward excellence in the areas of academic and social behavior.

The principal sets a positive tone for the school, guides the staff and works closely with them on curriculum and school safety issues. The school site's organizational structure is open and flexible contributing to sensitivity concerning school safety issues and promoting a safe, orderly school environment conducive to learning.

Disaster Procedures, Routine and Emergency

A contingency plan for emergencies is contained in a handbook available to each staff member. The District's Emergency Response Plan - (ERP Plan) is listed at the last section of this plan. The plan is reviewed at the beginning of each school year. This plan also contains available district and outside agency resources, emergency disaster procedures and information on Standardized Emergency Management System (SEMS).

Classroom Organization and Structure

Crafton Elementary teachers provide a varied learning environment in their classrooms. Teachers use a variety of teaching strategies including: PBIS (Positive Behavior Support and Intervention), Second Step, AVID, Thinking Maps, SDAIE strategies, Direct-Interactive-Instruction, homogeneous grouping for reading and mathematics intervention instruction; as well as implementing these programs that specifically target individual student needs: Lexia Core5 Reading, Accelerated Reader (A.R.), Freckle, and Study Island. Crafton also offers an equity-driven education, and After-School Intervention.

The teachers at Crafton Elementary are highly qualified, with many teachers holding advanced degrees. The staff is united in their desire to provide quality education for all pupils. Classrooms and teachers provide safe, orderly learning environment, enhance the experience of learning, and promote positive interactions amongst pupil and staff. Instructional time is maximized and disruptions are minimized.

The School's Cultural Environment

There is a high level of cohesiveness among the staff members at Crafton Elementary. Cooperation and support between teachers and the administration is evident. Efforts are made by the administration and staff to show concern for all pupils.

All pupils are expected to behave in a manner that promotes safety and order. Pupils are encouraged to bring problems to the principal, assistant principal, counselor, teacher or other staff members. The everyday goal is for the staff to be proactive rather than reactive in all situations of concern.

The academic and behavior efforts of pupils are recognized and rewarded.

Cultural diversity is celebrated throughout the year by a variety of means, including but not limited to: diversity and equity training to all teachers, individual classroom instruction that embraces and welcomes equity of each student in the class, a wide variety of multi-cultural books for students, ancestor days, Black History month celebrations, UDL trainings, Multilingual Learners training, Social and Emotional Learning opportunities.

Element:

Goal 2:

Build a positive environment that celebrates students differences.

Opportunity for Improvement:

I. Areas of Pride and Desired Improvements

a. Pride

1. Support and engage parent, teacher, and student community.
2. School wide collaboration of all 3 tiers of PBIS

b. Areas of Desired Improvement

1. Build relationships between home and school.
2. School climate reflecting the behavior expectations through PBIS: respect, responsibility, trustworthy, and safe.

Objectives	Action Steps	Resources	Lead Person	Evaluation
<p>II. Desired Change #1</p> <p>Work with staff, parents, teachers, and students to establish common routines and language that help focus on an inclusive environment for all students and families.</p>	<p>a. Related Strategies and Activities</p> <p>1. Collaborate with staff to establish areas of need and commonly used strategies for inclusion.</p> <p>2. Continue to grow in the use of PBIS strategies, presentations, and student awareness.</p>	<p>b. Resources Required</p> <p>1. Collaboration time at weekly staff meetings and monthly leadership meetings.</p> <p>2. Classroom presentations and PBIS rotations 3 times during the year.</p> <p>e. Budget</p> <p>1. \$2500 as outlined in SPSA</p> <p>2.</p>	<p>c. Personnel Assignments</p> <p>1. All staff to participate in the implementation of celebrating students/families differences.</p> <p>2. Swiss training for the PBIS team and planning time for the activities and strategies</p>	<p>f. Evaluation criteria</p> <p>1. Increase in parent participation</p> <p>2. Kelvin scores go up in both students and family surveys.</p> <p>d. Timeframe for completion</p> <p>1. 2024-2025 School year</p> <p>2.</p>
<p>III. Desired Change #2</p> <p>Create learning opportunities for students to excel</p>	<p>a. Related Strategies and Activities</p> <p>1. During and After School activities, interventions, and exploration opportunities offered to all students.</p> <p>2.</p>	<p>b. Resources Required</p> <p>1. Collaboration time at weekly staff meetings and monthly leadership meetings.</p> <p>2. Materials to meet the needs of the students and expand growth opportunities</p> <p>e. Budget</p> <p>1. \$10,000 as outlined in SPSA</p> <p>2.</p>	<p>c. Personnel Assignments</p> <p>1. Staff to teach the learning opportunities</p> <p>2. District-funded ELOP staff</p>	<p>f. Evaluation criteria</p> <p>1. Evidence of student growth in the STAR and Benchmark assessments.</p> <p>2.</p> <p>d. Timeframe for completion</p> <p>1. 2024-2025 School year</p> <p>2.</p>

Component:

CULTURE OF RECOGNITION

Crafton School believes that student success should be intentionally recognized and frequently celebrated. In addition, the components that frame our definition of success should be broadly determined to include as many types of success as we have students.

This identification and recognition are a part of our culture; staff seek to identify and celebrate student strengths and to support identified areas of need with resources and encouragement when progress is made. Students are recognized in PBIS Assemblies monthly and Monthly Flag ceremonies.

Element:

Goal 3:

Recognize and celebrate student success across a broad continuum of student attributes and activities.

Opportunity for Improvement:

1. Recognize MORE students for real success
2. Ensure students AND parents understand the specific reasons each recognition has been given
3. Expand the TYPES of recognition [including but beyond PBIS-related recognition]
4. Increase opportunities for parent access and involvement to learning environments

Objectives	Action Steps	Resources	Lead Person	Evaluation
IV. Desired Change #1 Recognize a wide range of student success - academic, behavioral, and personal.	a) Our bi-monthly awards assemblies will include recognitions for student success in Reading, Math, Character Traits (PBIS), and Effort/Organization (AVID).	School Schedules (Assemblies) Certificates of recognition Awards - including Lunch with the Principal and Book Giveaways	Principal	Evaluation criteria 1. Parent and student surveys 2. List of awards 3. Certificates Given d. Timeframe for completion 1. 2024-2025 School year
	b) Weekly principal videos shared in every classroom on Mondays highlighting specific examples of notable student accomplishments.	Certificates of recognition Weekly Principal Videos, including "Kid Corner" videos	Principal	Evaluation Criteria 1. Growth in Kelvin Student Survey results Timeframe for Completion 1. 2024-2025 school year
V. Desired Change #2 Instigate a parent-focused events during and/or after school that increase parent access to classroom learning and activities	c) Begin a schoolwide career-day in the spring. Invite parents to share about their careers and how they got there	Parent involvement participation Schedule PTA involvement CHED/TiPI funding in SPSA	Equity and Engagement Team Principal	Evaluation Criteria 1. Growth in Kelvin Student Survey results 2. Parent surveys / event feedback Timeframe for Completion 1. 2024-2025 school year
	d) Open House in Spring - invite parents to tour classrooms being guided by their students who "show them around"	Facilities open Staff Participation	Equity and Engagement Team Principal	Evaluation Criteria 1. Growth in Kelvin Student Survey results 2. Parent surveys / event feedback Timeframe for Completion 1. 2024-2025 school year

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

Crafton Elementary Student Conduct Code

Procedures to Ensure a Safe and Orderly Environment

Rules and Procedures on School Discipline

Philosophy of Discipline

- Behavior expectations and the consequences for not meeting expectations must be clearly communicated to all students and their parents (in writing as well as verbally).

- The severity of consequences for violating behavior expectations increases with each incident of inappropriate behavior.
- The consequences for violating behavior expectations should be severe enough to discourage students from making poor behavior decisions.
- Expectations and consequences should permit students an opportunity to eliminate inappropriate behavior.

Additionally, the school staff recognizes that the middle school years are a transition time from adolescence to young adulthood. As a part of this transition, the student is given greater opportunities to be responsible and demonstrate independence and good judgment. The structure of our behavior expectations (in the classroom as well as school wide) is meant to encourage students to be responsible. The first step in many instances of inappropriate behavior (those considered to be "minor") is a simple warning ("Your behavior is unacceptable. Please stop such behavior"). It is only when a student ignores such warnings and continues to choose to act irresponsibly (like a child rather than an emerging adult) that we involve parents and implement consequences.

Elements of a Good Discipline Program

1. The program is focused upon making the entire campus, especially the classroom, a safe, supportive and orderly environment for learning for students and staff.
2. Classroom authority is retained by the classroom teacher. (Administration's role is to support, not to replace.)
3. Rules and procedures are clearly understood by staff and students.
4. All staff members will acknowledge and take appropriate action on any minor or major infraction of the school rules.
5. Rules and procedures comply with State Law and District policies.
6. The program recognizes the responsibilities and the rights of students and staff.
7. Program is structured to keep students in class and engaged in the educational process.
8. Rules are enforced:
 - A. by all staff members at all times.
 - B. strictly, but not rigidly (beware of "automatics").
 - C. in substantial part by adult modeling.
 - D. using techniques that promote the growth of positive self-esteem.
 - E. as close to the source as is possible.
 - F. by keeping parents informed.
9. The discipline program is understood, endorsed, and supported by staff, parents, and students.

PRINCIPAL'S STATEMENT TO CRAFTON STAFF

Expectations in Developing & Maintaining Discipline

As Principal of our school, I will expect;

Each teacher to have a defined system of classroom management. A written description of this system, including representative examples of the progressive interventions you intend to employ, will be approved and filed by me. Whenever possible and appropriate, teachers are encouraged to use standards and systems that are consistent across their grade levels and are in alignment with site PBIS expectations.

You can expect:

Each administrator to assist and support you in every reasonable way in developing, implementing, and refining that system as needed.

I will expect:

That when you refer a student for discipline:

1. The student has been made fully aware of classroom and school rules and knows what rules he/she has violated.
2. Teachers within a village will discuss any continuing behavior problems and schedule a team conference with the student and parents when appropriate.
3. That information will be provided on the referral regarding previous actions you have taken regarding this specific issue.
4. You have exhausted the interventions at your disposal (i.e., you have done everything you can do) and you have followed the guidelines established by the administration and staff on what constitutes an appropriate behavior referral.
5. The behavior was so serious or so blatant as to make immediate removal from the classroom necessary.
6. The written referral will be explicit in stating the offense(s).
7. You will send the student out of class with a referral only if his/her continued presence in the class would disrupt or prevent teaching and/or learning.
8. If necessary, the referral will be delivered to the office at a time convenient to the staff member so that the issue may be handled most efficiently, causing a minimum of lost class time.

You can expect:

1. Each administrator to support your position in every reasonable way.

2. A response time on your referral of one, or at most, two days.
3. The availability of an administrator to discuss unresolved referrals after school on any given day.
4. That the administrator will exercise independent judgment regarding disposition of referrals.

I will expect:

1. That each teacher will go to the doorway of his/her classroom after each class period as often as possible and assume control of student behavior in the corridor.
2. That each staff member will hold students accountable for their behavior on the school grounds at all times.

You can expect:

1. Administrator support, investigation, and follow-through as indicated.
2. A response to referrals from incidents outside the classroom to be the same as to those within.

Conduct Code Procedures

WHAT TO DO WHEN PROBLEMS APPEAR

Both behavioral and academic problems are present in some of our students. Teachers often ask for guidelines for dealing with these problems. Here they are:

1. Call parents at first sign of concern. Inform the parents of your observations, ask for their ideas, assistance, and support in serving the student. Keep a log of your calls.
2. If possible, talk privately to the student about your concerns.
3. Behavior concerns—look through students' CUM file. Any official suspensions will be in file, also look for teacher comments on report cards. Look for patterns of behavior. We use In-House Suspension whenever possible, as it is preferable to having students at home unattended—and it saves the district money. Serious infractions (fighting, threats, etc.) do result in official suspension. Unresponsive students can be moved to other schools or expelled.
4. Referrals—please remember if you write a student referral, you are required to call the parents. You are writing the referral and can answer the parents' questions firsthand. Administrators will also call parents, but we can only give secondhand information on the incident.
5. Academic Concerns—again, look through student CUM. This will contain test scores, report cards, and a student history. You may want to ask the grade level administrator to schedule a Student Study Team (SST). This will involve a meeting with the student, parents, administrators, students' teachers, and perhaps the psychologist
6. Talk to the administrator.

(K) Hate Crime Reporting Procedures and Policies

Redlands USD encourages students, parents and staff to report crimes, including hate crimes, in one or more of the following venues:

- (a) We TIP - anonymous crime hotline at 1-800-782-7463
- (b) Redlands Police Department at (909) 798-7681
- (c) Sprigeo - anonymous safety threat reporting at (909) 703-8736, and
- (d) contact site principal and/or assistant principal at (909) 794-8600.

(J) Procedures to Prepare for Active Shooters

Intruder on campus (Critical Lockdown) drills are held twice annually as part of our safety drills. Lockdown procedures are posted inside every classroom. We have district radios to immediately contact district and local law enforcement support. District safety teams organize annual lockdown policy reviews for staff to rehearse best practices in lockdown scenarios.

Procedures for Preventing Acts of Bullying and Cyber-bullying

Our school counselors provide grade-level appropriate anti-bullying lessons to all students annually. Conflicts are resolved using restorative practices. Multi-tiered PBIS strategies reinforce (and consistently reward) positive interaction among students. Our PBIS team meets monthly to review behavior referrals and trend that might indicate the presence of bullying behavior, and, if discovered, take steps to address the issue. Annual review each AUGUST with students of RUSD's Acceptable Use Policy ensures a common understanding of what actions are--and are NOT--accepted while using digital media. Cyber-bullying is defined and proper steps to report such bullying are reviewed. Our website has a bullying reporting form available to student and parents, which directly notifies administration when submitted. These reports are investigated with the highest priority.

Safety Plan Review, Evaluation and Amendment Procedures

The safety plan is reviewed twice annually. In the fall, the plan is updated and approved by School Site Council. In the spring, as we prepare to develop the next year's plan, feedback is collected and incorporated in the upcoming year's plan. School Site Council can amend the plan at any time.

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)
Administration reviews and updates prior year's plan, including suggestions from stakeholders gathered from surveys and data review.	August / September annually	
School Site Council meets to amend and approve all components of the year's Safety Plan.	October annually	
Plan is reviewed by staff and school site council for possible amendments based on the year's events	March / April annually	

Emergency Response Guidelines

Step One: Identify the Type of Emergency

Determining the type of emergency will assist the administrator in making the appropriate decisions to keep the campus safe. The response to a fire is drastically different than responding to an active shooter. The type of emergency may lead to evacuation, shelter-in-place, or lockdown, as well as which agency to contact.

Step Two: Identify the Level of Emergency

Determining the size and immediacy of the emergency will determine the level. The site leader will determine if it is a classroom only, building only, area only (i.e. playground), whole school, neighborhood, or city-wide emergency.

Step Three: Determine the Immediate Response Action

With safety of students, staff, and visitors at the forefront, site administration will determine immediate response based on site protocols. Please reference sections about specific emergencies.

Step Four: Communicate the Appropriate Response Action

Administration will communicate with the necessary emergency responders via phone. Administrators will utilize a variety of communication tools to notify staff and emergency participants such as: Bell system, phone intercom system, emails, and the emergency radio, located in the office. Lastly, a community communication plan will be created to notify families of incident, pick-up procedures, or next steps through one or several methods: Parent Square, postings on website, and all social media accounts.

Types of Emergencies & Specific Procedures

Earthquake

Classrooms initiate duck, cover, hold procedure (as rehearsed) - then evacuate to pre-determined area once shaking has completely stopped. Staff uses the Raptor App to report names and location of all students under their care at the time of the incident, as well as any missing students from their roster. Paper back-up reporting methods are available in each room's safety backpack.

Fire in Surrounding Area

Classrooms evacuate to pre-determined area. Staff uses the Raptor App to report location of all students under their care at the time of the incident. Paper back-up reporting methods are available in each room's safety backpack.

Fire on School Grounds

Classrooms evacuate to pre-determined area. Alternative evacuation locations are ready if needed. Staff uses the Raptor App to report location of all students under their care at the time of the incident. Paper back-up reporting methods are available in each room's safety backpack.

Pandemic

Blood Borne Pathogen Incident Reporting Form and Exposure Control Plan

Policy 5141.22: Infectious Diseases

The Governing Board desires to protect students from risks posed by exposure to infectious diseases while providing an appropriate education for all students.

The Superintendent or designee shall determine whether to admit a student with an infectious disease, and shall exclude students only in accordance with law. In making this determination, he/she shall consult the student's parents/guardians, the student's physician and/or the county health department, in accordance with law and consistent with confidentiality provisions. Because bloodborne pathogens such as hepatitis B virus, hepatitis C virus and human immunodeficiency virus (HIV) are not casually transmitted, the sole presence of bloodborne pathogens is not sufficient reason to exclude students from attending school.

cf. 5112.2 - Exclusions from Attendance)
(cf. 5141.26 - Tuberculosis Testing)
(cf. 5141.3 - Health Examinations)
(cf. 6158 - Independent Study)
(cf. 6159 - Individualized Education Program)
(cf. 6183 - Home/Hospital Instruction)

Parents/guardians are encouraged to inform the Superintendent or designee if their child has an infectious disease so that school staff may work cooperatively with the student's parents/guardians to minimize the child's exposure to other diseases in the school setting. The Superintendent or designee shall ensure that student confidentiality rights are strictly observed in accordance with law. No district employee shall release medical information, including knowledge of a bloodborne pathogen infection, without written consent from the parent/guardian or adult student. Such information shall be shared only with those persons specifically named in the written permission.

(cf. 5125 - Student Records)
(cf. 5022 - Student and Family Privacy Rights)

The Board requires students and staff to routinely observe universal precautions to prevent exposure to bloodborne pathogens and to prevent the spread of all infectious disease.

cf. 4119.42/4219.42/4319.42 -Exposure Control Plan for Bloodborne Pathogens)
(cf. 4119.43/4219.43/4319.43 - Universal Precautions)
(cf. 5141.23 - Infectious Disease Prevention)

The Superintendent or designee shall ensure that the district's health education program provides information about the nature of bloodborne pathogens and their transmission.

(cf. 5141.6 - Student Health and Social Services)
(cf. 6142.2 - Sexual Health and HIV/AIDS Prevention Instruction)
(cf. 6142.8 - Comprehensive Health Education)

Blood Borne Pathogens - Safety Practices

Procedures and Regulations

1. General

1.1 While recognizing that both students and employees diagnosed with an infectious blood borne disease are entitled to a confidential relationship between themselves, the medical community and/or other agencies, the Board of School Trustees encourages these individuals to meet with the School Principal and/or Superintendent of Schools to discuss their disease and immediate and future needs.

1.2 Assessment

2. Students:

2.1. The Superintendent (or designate) will be informed, by the school principal as soon as is known, of any student infected with an infectious blood borne disease.

2.2. A Risk Assessment will be conducted using a team approach including the personal physician, public health personnel, the parent or guardian, and school district personnel as appropriate and will make recommendations about the type of educational and care setting based on the following:

- a. Behavior, neurological development and physical condition of the child;
- b. Type of interaction expected with others.
- c. What the potential is for exposure
- d. Areas for potential for exposure

- e. How exposure may happen
- f. Who needs to know?
- g. What will happen if there is a risk of exposure?

2.3. The team will consider the risk to others in the workplace, whether or not the individual is healthy enough to continue to attend school, and what precautions should be taken to ensure the safety and health of others.

a. The identity of infected students will remain confidential and restricted to those who need to know or are required to be informed.

2.4. Decisions on attendance at school are dependent on the circumstances of each individual case. Regular evaluation of the appropriateness of attendance will be conducted.

2.5. The Board will be notified immediately when the team considers the health condition of a student to be a danger to the immediate health and welfare of a school, its students or employees of the Board.

a. Upon being notified of the team's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

3. Employees

3.1. The Superintendent will be informed, by district staff as soon as is known, of any employee infected with an infectious blood borne disease.

3.2. Employees with an infectious blood borne disease, who are able to carry out the essential duties of their jobs in a satisfactory manner without posing a health or safety risk to themselves or others, will be entitled to continue their work.

3.3. Decisions regarding potential health or safety hazards will be made on a case-by-case basis in consultation with the employee, the personal physician and district personnel as appropriate.

3.4. The identity of infected employees will remain confidential and restricted to those who need to know or are required to be informed.

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4. Hygienic Safety Practices

4.1. All employees will follow "Universal Infection Control Precautions" by assuming that blood and other body fluids from all individuals are potentially infectious. These precautions include:

- a. Routinely using gloves when anticipating contact with blood
- b. Immediately washing hands and other skin surfaces after removal of gloves and/or contact with blood

4.2. Schools will be provided with appropriate protective equipment including disposable waterproof gloves (natural rubber latex, neoprene, nitrile, or vinyl), tongs or pliers and proper sharps containers.

4.3. Schools' medical room mattresses will be either vinyl-coated beds or cloth mattress with a protective vinyl (plastic) covering so that they can be cleaned as needed with a bleach solution.

4.4. Blankets can be cleaned as needed by forwarding them, in a clearly labeled plastic bag, to the Assistant Supervisor Operations at the Facilities Office.

5. Universal Precautions

5.1. Universal Precautions to prevent transmission of blood-borne disease will be followed. Universal Precautions is the term for infection control measures endorsed by the Canadian Centre for Occupational Health and Safety for workers who might come into contact with blood and other body fluids. In summary they include:

- a. Wash hands for 30 seconds after contact with blood and other body fluids contaminated with blood.
- b. Wear disposable latex gloves when you encounter blood, body fluids, or when cleaning cuts, scrapes or wounds. Wash your hands as soon as you remove your gloves. Dispose gloves in a plastic bag.
- c. Use disposable absorbent material like paper towels to stop bleeding.
- d. Discard bloodstained material in a sealed plastic bag and deposit in the garbage. Label as containing blood-tainted material.
- e. Cover cuts or scrapes with a bandage until healed.
- f. Immediately protect staff and students from coming in contact with blood-soiled surfaces. The area must be disinfected with a fresh solution of one part bleach and nine-parts water (10% bleach solution).

Mops or brushes used for cleaning should be soaked in a bleach solution for 20 minutes.

(Note: The custodial department will provide each school with the product for dissolving in water to provide the bleach solution.)

6. Identification of Risks of Occupational Exposure

6.1. In accordance with the Occupational Health and Safety Regulations (section 6.35), the district's Health & Safety Coordinator will develop and maintain a list of positions and/or tasks and procedures where there is a potential for occupational exposure to a blood borne pathogen.

6.2. Employees who have, or may have, occupational exposure to the hepatitis B virus, will upon request, receive a hepatitis B vaccination (section 6.39, OH&S Regs).

6.3. Employees who may have been exposed to a blood borne pathogen in an exposure incident will be advised to immediately seek medical attention

Blood Borne Pathogen Incident Reporting Form and Exposure Control Plan

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6. Identification of Risks of Occupational Exposure





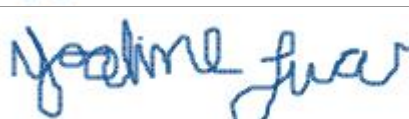
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Comprehensive School Safety Plan

**2024-2025
School Year**

School: Cram Elementary School
CDS Code: 36-67843-6036487
District: Redlands Unified School District
Address: 29700 Water Street
Highland, CA 92346
Date of Adoption: October 24, 2023
Date of Update: October 4, 2024
Date of Review:
- with Staff October 7, 2024
- with Law Enforcement
- with Fire Authority

Approved by:

Name	Title	Signature	Date
Michael Laba	Principal		
Jessica Ard	Paraprofessional/Clerk		
Amanda Woodruff	Teacher		
Christopher Wagner	Lead Custodian		
Yoceline Lucero	Parent		

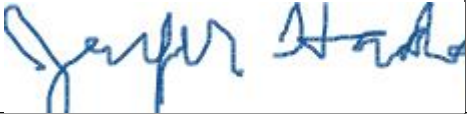

Name	Title	Signature	Date
Jennifer Haddock	Teacher		
ToniMarie Dunlap	Teacher		

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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 Cram Elementary School - Front Office.

Safety Plan Vision

Cram Elementary School will:

- provide a safe, orderly, and secure environment conducive to learning.
- create a school culture in which students will attend regularly and remain safe from physical and social-psychological harm.
- work collaboratively with the district office and school board to identify, establish, and implement strategies, supports, and programs to comply with school safety laws.
- develop and implement a plan with all stakeholders, community agencies, and law enforcement to provide a safe and orderly school campus.
- develop an academic program that will include high expectations for students academics and behavior.
- work collaboratively with middle school and high school staff to support students as they transition to middle and high school.
- solicit the participation, opinions, and the support of teachers, parents, school administrators, community members, and community agencies to promote and ensure a safe school environment.

Components of the Comprehensive School Safety Plan (EC 32281)

Cram Elementary School Safety Committee

Michael Laba, Chris Wagner, ToniMarie Dunlap, Amanda Woodruff, Jessica Ard, Yoceline Lucero

Assessment of School Safety

School crime is reported annually to the State of California. Cram ES works closely with Student Services and the San Bernardino County Sheriff to ensure compliance with all reporting, laws and penal codes. 1 student was suspended for the 2023-2024 school year.

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

Introduction - School Profile

Cram Elementary School is one of twenty-four schools in the Redlands Unified School District with traditions dating back to 1869. Cram Elementary School has a diverse pupil student body and is served by a dedicated staff. Both staff and parents comment on the positive changes that are ongoing in our school.

Cram Elementary School faces challenges in maintaining a safe school. This section of the Comprehensive School Safety Plan will describe programs in place at our school as well as strategies and programs of our school site council for continued improvement in providing a safe, orderly, school environment conducive to learning.

School Crime Status and Reporting

School crime is reported annually to the State of California. Cram ES works closely with Student Services and the San Bernardino County Sheriff to ensure compliance with all reporting, laws and penal codes. 80 students were chronically absent and 1 student was suspended for the 2023-2024 school year.

Personal Characteristics of Pupil & Staff

(Additional Health and Welfare Data available from ICOE aggregated DAT surveys)

Cram Elementary School has an enrollment of 507 pupils in TK-5. Pupils from this school come from families with minimum family mobility. Approximately 42% of the pupils are in families receiving Aid to Families with Dependent Children that are eligible for free/reduce lunches. The ethnic makeup of the pupil population is 52.8% Hispanic, 3.10% African American, 26.30% Caucasian and Asian 8.40%. Our pupils have a variety of life experiences. Some pupils have recently arrived from foreign countries while others have never left their neighborhood.

Curriculum and Educational Activities

The course of study includes the basic core curriculum, physical education and enrichment classes such as art, music, orchestra, band, and STEAM Lab.

Pupils have the opportunity to participate in noon and after-school activities. These include Cardinal Club, Student Government, Book Club, and Choir.

Staff provides opportunities and additional activities open to pupils in the areas of technology, visual and performing arts, and leadership.

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

Policy 5141.4: Child Abuse Prevention and Reporting

The Governing Board recognizes that the district has a responsibility to facilitate the prompt reporting of incidents of child abuse and neglect. The Superintendent or designee shall ensure that parents/guardians have access to procedures whereby they can report suspected child abuse at a school site to appropriate child protective agencies

The Superintendent or designee shall develop and implement regulations for use by employees in identifying and reporting child abuse

District employees shall report known or suspected incidents of child abuse in accordance with district regulations and state law. Employees shall cooperate with the child protective agencies responsible for reporting, investigating and prosecuting cases of child abuse.

(cf. 4112.9 - Signed Statements/Child Abuse Reporting Statements)

The Superintendent or designee shall provide training in child abuse identification and reporting for all certificated and classified personnel. (Penal Code 11165.7)

All employees trained in child abuse identification and reporting shall be given, as a part of that training, written notice of the child abuse reporting requirements and the employees' confidentiality rights. (Penal Code 11165.7)

In order to reduce or eliminate unfounded child abuse accusations directed at school employees, child abuse in service training shall include guidance in disciplining students and maintaining ethical relationships with them.

(cf. 3514 - Safety)

(cf. 5142 - Safety)

Duty to Report

Certificated employees and classified employees trained in child abuse identification and reporting shall report known or suspected child abuse to a child protective agency by telephone immediately or as soon as practically possible and in writing within 36 hours. The reporting duties are individual and cannot be delegated to another individual except under circumstances set forth in Penal Code 11166.

Definitions

Child Abuse includes the following:

1. A physical injury inflicted by other than accidental means on a child by another person.
2. Willful cruelty or unjustifiable punishment of a child, or willfully inflicting unjustifiable physical pain or mental suffering, or failure to safeguard a child from these injuries when the child is under a person's care or custody
3. Sexual abuse of a child
4. Neglect of a child or abuse in out-of-home care
5. Unlawful corporal punishment or injury resulting in a traumatic condition

Mandated Reporters are those people defined by law as child care custodians, health practitioners, child visitation monitors and employees of a child protective agency. Mandated reporters include virtually all school employees. The following school personnel are required to report:

Teachers, administrators, supervisors of child welfare and attendance, certificated student personnel employees, employees of care institutions, Headstart teachers, school psychologists, licensed nurses, counselors, presenters of child abuse prevention programs and those instructional aides or other classified employees trained in child abuse reporting.

Child Protective Agencies are those law enforcement and child protective services responsible for investigating child abuse reports, including the local police or sheriff department, county welfare or juvenile probation department and child protective services.

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

Reporting Procedures

To report known or suspects child abuse, any employee (as defined above) shall report by telephone to the local child protective agency immediately. (Child Protective Services 921 County Center, 3 Court, Modesto, CA phone # 525- 6641)

The following information shall be given:

1. The name of the person making the report
2. The name of the child
3. The present location of the child
4. The nature and extent of any injury

Any other information requested by the child protective agency, including the information that led the mandated reporter to suspect child abuse.

When the verbal 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.

Within 36 hours of making the telephone report, the mandated reporter shall complete and mail to the local child protective agency a written report which includes a completed Department of Justice form (DOJ SS 8572).

Mandated reports may obtain copies of the above form either from the district or local child protective agency.

Instructions are included on the form, and reporters may ask the site administrator for help in completing and mailing it; however, the mandated reporter is personally responsible for ensuring that the written report is correctly filed.

Employees reporting child abuse to a child protective agency are encouraged, but not required, to notify the site administrator or designee as soon as possible after the initial verbal report by telephone. When so notified, the site administrator shall inform the Superintendent or designee.

Administrators so notified shall provide the mandated reporter any assistance necessary to ensure that reporting procedures are carried out in accordance with law and district regulations. At the mandated reporter's request, the principal may assist in completing and filing the form.

If the mandated reporter does not disclose his/her identity to a district administrator, he/she shall at least provide or mail a copy of the written report to the site administrator and the district without his/her signature or name.

Legal Responsibility and Liability

Mandated reporters have absolute immunity. School employees required to report are not civilly or criminally liable for filing a required or authorized report of known or suspected child abuse.

A mandated reporter who fails to report an instance of child abuse, which he/she knows to exist or reasonably should know to exist, is guilty of a misdemeanor and is punishable by confinement in jail for a term not to exceed six months or by a fine of not more than \$1,000 or both. The mandated reporter may also be held civilly liable for damages for any injury to the child after a failure to report

When two or more persons who are required to report have joint knowledge of suspected instance of child abuse, and when they so agree, the telephone report may be made by either of them and a single report made and signed by that person.

However, if any person who knows or should know that the person designated failed to make the report, that person then has a duty to make the report.

The duty to report child abuse is an individual duty and no supervisor or administrator may impede or inhibit such reporting duties. Furthermore, no person making such a report shall be subject to any sanction.

Victim Interview

Upon request, a child protective agency representative may upon request interview a suspected victim of child abuse during school hours, on school premises, concerning a report of suspected child abuse that occurred within the child's home. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. (Penal Code 11174.3)

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

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

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

Peace officer and child protective services agents will be asked to sign an appropriate release or acceptance of responsibility form.

(cf. 5145.11 - Questioning and Apprehension)

When School Employees are Accused of Child Abuse

Regardless of who child abusers may be, the major responsibilities of mandated reports are to 1) identify incidents of suspected child abuse, and 2) comply with laws requiring the reporting of suspected abuse to proper authorities. Determining whether or not the suspected abuse actually occurred is not the responsibility of the school employee. Such determination and follow-up investigation will be made by a child protective agency.

Pending outcome of an investigation by a child protective agency and before formal charges are filed, the employee may be subject to reassignment or a paid leave of absence.

Upon filing formal charges or upon conviction, the district may take disciplinary action in accordance with law, district policies, regulations and/or collective bargaining agreements. The Superintendent or designee shall seek legal counsel in connection with either the suspension or dismissal of the employee.

(cf. 4117.4 - Dismissal)
(cf. 4118 - Suspension/Disciplinary Action (Certificated))
(cf. 4218 - Suspension/Disciplinary Action (Classified))

Suspected Child Abuse Reporting Procedures

I. Initiating the Report

A. The report is initiated by a telephone report to the appropriate agency.

B. If the suspected child abuse has taken place within the family, call the Enter appropriate Agency Hotline at phone number, 1 (800) 827-8724

C. If the suspected child abuse has taken place outside the family, call the local police department at:

Highland Sheriff Police Department
Phone: (909) 425-9793

D. Content of call.

- 1) Name, address and age of child involved.
- 2) Clear description of suspected abuse.

II. Written Report

A. The telephone call is to be followed by completion of the Suspected Child Abuse Report (form 11166.P.C.). These forms are available in the Principal's office at the high school or you may access the form on line at:
http://ag.ca.gov/childabuse/pdf/ss_8572.pdf for a form or immediately call (909) 384-9233 to file a report.

B. The written report is to be addressed to the person to whom the telephone report was made.

C. The written report must follow the phone call within 36 hours.

1. Suspected child abuse within the family,
Agency: Children and Family Services
Address: 150 S. Lena Road, San Bernardino, California 92415

2. Suspected child abuse outside the family should be mailed to the agency to which the report was called -

Adopted: 10/2005
Highland Sheriff Police Department
Phone: (909)425-9793

The reporting party should keep the yellow copy of the Suspected Child Abuse Report form (SS8572) or verification of completion of the reporting obligation.

Caution:

1. The reporting responsibility has not been discharged until both the telephone call and written reports are complete.
2. School personnel are not to engage in any investigation of suspected cases. The investigation will be done by the child protective services office.
3. The reporting responsibility is an individual one which is NOT discharged by report to supervisors or administrators.

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

Disaster Plan (See Appendix C-F)

Each classroom, office, library and room on campus has a posting of the emergency procedures near the exit door. Fire Drills are practiced a minimum of each month of the school year. Earthquake drills are practiced a minimum of four times a year and Lock Down drills are practiced a minimum of once yearly.

The Standardized Emergency Management System (SEMS) provides the model for all levels of emergency operations—local, regional and statewide. During a disaster the SEMS serves as an "incident command system" (ICS) with a Site Command post to coordinate leaders in each of six areas—food/water distribution, utilities, first aid, search and rescue, sanitation, and student supervision—through a definite chain of command. The ICS is set up in an Emergency Operations Center, where the leaders of each unit can be present at a single site in order to quickly facilitate communication and coordinate the response. The NSLA disaster preparedness plan shall be available to staff, students and the public in the Cram office. Cram's principal is authorized and directed to implement plans as described herein; or take such other action as may, in their judgment, be necessary to save lives and mitigate the effects of disasters. A principal may implement one or more of these emergency actions in coping with a disaster. Maintenance personnel are assigned as liaisons between Incident Command and the school in the event phones are inoperative. The District has furnished Cram with Site Emergency Radios in the case that standard communications are cutoff. During an emergency, children may only be released to the parent, guardian, designee of parent, or other adult legally responsible for their care. There shall be NO EXCEPTIONS to this policy. The dismissal of children from the school shall be governed by emergency procedures. However, this procedure does not preclude the exercise of professional judgment by an administrator when the circumstances of the situation indicate dismissal to be in the best interest of the child.

Public Agency Use of School Buildings for Emergency Shelters

Public agencies, such as the American Red Cross, may use school buildings, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare. The District or County office shall cooperate with the public agency in furnishing and maintaining the services as the District or County Office may deem necessary to meet the needs of the community

(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines

Policy 5144.1: Suspension And Expulsion/Due Process

Suspension and Expulsion

The Governing Board recognizes that maintaining an environment which promotes learning and protects the health, safety, and welfare of all students may require the suspension or expulsion of a student from regular classroom instruction. District policies and school site rules shall clearly identify district behavior standards

(cf. 5144 - Discipline)

Except in cases where suspension for a first time offense is warranted in accordance with law, suspension shall be imposed only when other means of correction fail to bring about proper conduct. (Education Code 48900.5)

Expulsion is an action taken by the Board for severe or prolonged breaches of discipline by a student. Except for single acts of a grave nature, expulsion is usually used only when there is a history of misconduct, when other forms of discipline, including suspension, have failed to bring about proper conduct, or when the student's presence causes a continuing danger to other students. (Education Code 48915)

The grounds for suspension and expulsion and the procedures for considering, recommending and/or implementing suspension and expulsion shall be specified in Administrative Regulation.

Each principal shall annually inform all students and parents/guardians of the school's discipline rules and procedures and of the availability of all district policies and regulations dealing with student discipline, suspension and expulsion. (Education Code 35291, 35291.5)

(cf. 5145.6 - Parental Notifications)

Suspended or expelled students shall be excluded from all school-related extracurricular activities during the suspension or expulsion.

cf. 6145 - Extracurricular and Cocurricular Activities)

Zero Tolerance

The Board supports a zero tolerance approach to serious offenses in accordance with state and federal law. This approach makes the removal of potentially dangerous students from the classroom a top priority and ensures the standardized treatment of all students. Staff shall immediately report to the Superintendent/ designee any incidence of offenses specified in law, Board policy, and administrative regulation as cause for suspension or expulsion.

Student Due Process

The Board shall provide for the fair treatment of students facing suspension and expulsion by affording them their due process rights under the law. The administration and staff shall comply with procedures for notices and appeals as specified in regulation. Procedures governing student due process shall conform in all aspects to provisions in law. (Education Codes 48911, 48915 and 48915.5)

Whenever a student is suspended, school officials may (but are not required to) meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

cf. 5119 - Students Expelled from Other Districts

(cf. 5144.2 - Suspension and Expulsion/Due Process - Individuals with Exceptional Needs)

Rights of Complaining Witness

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

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

1. Receive five days' notice of his/her scheduled testimony at the hearing
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies
3. Have a closed hearing during the time he/she testifies

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

On-Campus Suspension Program

The Board recognizes that students who are suspended from school frequently have no supervision or guidance during the school hours when they are off campus. The Board believes that in many cases, instead of sending the student off campus, it would be better to address the student's misconduct by keeping the student at school and providing him/her with supervision that is separated from the regular classroom.

The Superintendent or designee shall examine alternatives to off-campus suspension and may establish a suspension program which involves progressive discipline during the school day on campus; using conferences between staff, parents/guardians and students; detention; student study teams or other assessment-related teams; and/or referral to school support services staff.

Required Parental Attendance

The Board believes that parental involvement plays an important role in the resolution of classroom behavior problems. The Board expects that teachers will communicate with parents/guardians when behavior problems arise

Whenever a student is suspended from a class because he/she committed an obscene act, engaged in habitual profanity or vulgarity, disrupted school activities or otherwise willfully defied valid staff authority, the teacher of the class from which the student was suspended may require the student's parent/guardian to attend a portion of a school day in that class. After completing the classroom visit and before leaving school premises, the parent/guardian also shall meet with the principal or designee. (Education Code 48900.1)

The Board encourages teachers, before requiring parental attendance, to make reasonable efforts to have the parent/guardian visit the class voluntarily. The teacher also may consider informing the parent/guardian about available resources which may provide help in the development of parenting skills. Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the student and the parent/guardian and to improve classroom behavior.

Parental attendance may be required on the day the student returns to class or within one week thereafter. The principal or designee shall contact any parents/guardians who do not respond to the request to attend school. The Board recognizes that parental compliance with this policy may be delayed, modified or prevented by serious illness/injury/disability, absence from town, or inability to get certain release time from work.

The teacher shall apply this policy uniformly to all students within the classroom. This policy shall apply only to a parent/guardian who actually lives with the student. (Education Code 48900.1)

District regulations and school-site rules for student discipline shall include procedures for implementing parental attendance requirements.

Parents/guardians shall be notified of this policy before it is implemented and at the beginning of each subsequent school year. (Education Code 48900.1, 35291, 48980)

Decision Not to Enforce Expulsion Order

In cases where expulsion is mandatory pursuant to Education Code 48915(c), the enforcement of an expulsion order shall not be suspended by the Board. In all other cases of expulsion, the order for expulsion may be suspended by the Board, on a case-by-case basis, pursuant to the requirements of law.

Definitions

Suspension from school means removal of a student from on going 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, nor referral to a certificated employee designated by the principal to advise students, nor removal from the class without reassignment to another class or program for the remainder of the period, without sending the student to the principal or designee.

2. Removal from a particular class shall not occur more than once every five school days. (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)

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

School property, for the purposes described in Education Code 48900, includes, but is not limited to, electronic files and databases. (Education Code 48900(s))

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, suspension and expulsion. Transfer students and their parents/guardians shall be notified at the time of enrollment. (Education Code 35291.5, 48900.1, 48980)

(cf. 5144 -Discipline)

(cf. 5145.6 Parental Notifications)

Notification shall include information about the ongoing availability of individual school rules and all district policies and regulations pertaining to student discipline. (Education Code 35291)

(cf. 5145.6 -Parental Notifications)

Grounds for Suspension and Expulsion

Students may be suspended or recommended for expulsion when the Superintendent, principal, or principal's designee at the school in which the student is enrolled determines that the student has done any of the acts listed below:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense. (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However, a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code Board Policy Manual Redlands Unified School District 48900(s))

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

(cf. 5 131 - Conduct)

(cf. 5131. 7 - Weapons and Dangerous Instruments)

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

(cf. 5131.6 -Alcohol and Other Drugs)

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

5. Committed or attempted to commit robbery or extortion. (Education Code 48900(e))
6. Caused or attempted to cause damage to school property or private property. (Education Code 48900(f))
7. Stole or attempted to steal school property or private property. (Education Code 48900(g))
8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products with prior approval of the principal or designee. (Education Code 48900(h))
9. Committed an obscene act or engaged in habitual profanity or vulgarity. (Education Code 48900(i))
10. Unlawfully possessed, or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code. (Education Code 48900(j))
11. Disrupted school activities or otherwise willfully defied 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))
12. Knowingly received stolen school property or private property. (Education Code 48900(l))
13. Possessed an imitation firearm, i.e., 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))
14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code 243.4. (Education Code 48900(n))
15. 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))
16. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug soma. (Education Code 48900(p))
17. Engaged in, or attempted to engage in, hazing as defined in Education Code 32050. (Education Code 48900(q))
18. Made terrorist threats against school officials and/or school property. (Education Code 48900.7)

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

19. Committed sexual harassment as defined in Education Code 212.5. (Education Code 48900.2)
20. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 33032.5. (Education Code 48900.3)
21. 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 Glasswork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment (Education Code 48900.4)

(cf. 5145.3 -Nondiscrimination/Harassment)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent/principal or within any other school district, including but not limited to the following circumstances:

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.

The Superintendent/principal may use his/her discretion to provide alternatives to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program. (Education Code 48900(r))

cf. 5138 -Conflict Resolution/Peer Mediation)

Alternatives to suspension or expulsion will be used against students who are truant, tardy, or otherwise absent from assigned school activities.

(cf. 5113 -Absences and Excuses)

(cf. 5113.1 - Truancy)

Suspension from Class by a Teacher/Parental Attendance

A teacher may suspend any student from the teacher's class for any of the acts listed under "Grounds for Suspension and Expulsion" above for the day of the suspension and the day following. (Education Code 48910)

Suspension from class means the removal of a student from class by a teacher for the day of the suspension and the next day. A teacher may suspend a student from class and may also refer a student for consideration of suspension from school for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

When suspending a student from his/her class, the teacher shall immediately report this action to the principal and send the student to the principal for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been suspended.

As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the suspension. A counselor or psychologist should attend the conference if it is practicable, and a school administrator may attend if either the parent/guardian or teacher so request.

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

A student suspended from class shall not be placed in another regular class during the period of suspension. However, if a student is assigned to more than one class per day, he/she may be placed in any 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 suspended student to complete any assignments and tests missed during the suspension. (Education Code 48913)

When a teacher requires a parent/guardian to attend school in accordance with Board Policy, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is required pursuant to law. (Education Code 48900.1)

1. This notice shall also tell the parent/guardian when his/her presence is expected and by what means he/she may arrange any necessary change.
2. The notice shall describe the protections afforded to the parent/guardian as an employee by Labor Code 230.7.

3. The notice shall state that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student.

The teacher shall remind the parent/guardian to meet with the principal or designee after completing the classroom visit and before leaving school premises.

Suspension By Superintendent, Principal Or Principal's Designee

A Superintendent, principal, or principal's designee may suspend a student from a school for any of the acts listed under "Grounds for Suspension and Expulsion" above for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

The Superintendent or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife, as defined in Education Code 48915(g), at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item 414 under "Grounds for Suspension and Expulsion" above.
5. Possession of an explosive as defined in 18 USC 921.

Suspension may be imposed upon a first offense if the Superintendent, principal or designee determines the student violated items (i) - (v) listed in "Grounds For Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903 and 48912)

Suspension Procedures

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the principal or designee or the Superintendent or designee between 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 and the evidence against him/her and shall be given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911(b))

This conference may be omitted if the principal, designee or the Superintendent or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or school personnel. If the pre-suspension conference is not held, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference will be held as soon as the student is physically able to return to school. (Education Code 48911(c))

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior

A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee, who in turn will inform the Board.

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 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 also state the date and time when the student may return to school.

Should school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may also add that state law requires the parent/guardian to respond to such request without delay.

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

While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such conference. The student may not be denied readmission solely because the parent/guardian failed to attend. (Education Code 48911)

5. Extension of Suspension: If the expulsion of a suspended student is being considered by the Board, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision. (Education Code 48911(g))

Any extension of the original period of suspension shall be 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. Extension of the suspension may be made only if 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(g))

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal or Principal's 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 if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. 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 may hold closed sessions if a public hearing would lead to disclosure of information which would violate a student's right to privacy under Education Code 49073-49079.

(cf. 9321 -Closed Session Purposes and Agendas)

The Board shall provide the student with written notice of the closed session by registered or certified mail. Upon receiving this notice the student 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 shall be in closed session. (Education Codes 48912)

Authority to Expel

A student may be expelled only by the Board. The Board shall expel, as required by law, any student found to have committed certain offenses listed below under "Mandatory Recommendation and Mandatory Expulsion."

The Board may also order a student expelled for any of the acts listed above under "Grounds for Suspension and Expulsion" upon recommendation by the principal, Superintendent, hearing officer or administrative panel, based on finding either or both of the following: (Education Code 48915(b) and (e))

1. That other means of correction are not feasible
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

Mandatory Recommendation For Expulsion

The principal, Superintendent or designee shall recommend a student's expulsion for any of the following acts, unless the principal or Superintendent or designee finds, and reports in writing to the Board, that expulsion is inappropriate due to particular circumstances which shall be set out in the report of the incident:

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife as defined in Education Code 48915(g), explosive 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 the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee.

Mandatory Recommendation And Mandatory Expulsion

The principal, Superintendent or designee shall recommend that the Board expel any student found at school or at a school activity off school grounds to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48915(c).1)
2. Brandishing a knife as defined in Education Code 48915(g) at another person. (Education Code 48915(c).2)
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058. (Education Code 48915(c).3)
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above. (Education Code 48915(c).4)
5. Possessing an explosive as defined in 18 USC 921.

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

Student's Right to Expulsion Hearing

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred. (Education Code 48918(a))

The student is entitled to 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 district's discretion. (Education Code 48918(a))

If the district finds it impracticable 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))

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

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 48915.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Education Code 48915.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing.
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies.
3. Have a closed hearing during the time he/she testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48915.5)

Written Notice of the Expulsion Hearing

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least ten 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. A parent/guardian of a student expelled for acts described in paragraphs through

4 of Education Code 48915(a), seeks enrollment in another district they must inform the new district of the students status with the expelling district, pursuant to Education Code 48915.1.

(cf. 5119 -Students Expelled from Other Districts)

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

Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and Education Code 35145, the Board shall conduct the hearing or arrange for an alternative 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 request is made, the meeting shall be public

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to deliberate and determine if the student should be expelled. If the Board admits any other person to the closed session, the parent/guardian, the student, counsel of the student and counsel of the parent/guardian shall also be allowed to attend the closed session. (Education Code 48918(c))

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

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

3. Presentation of Evidence: While technical rules of evidence do not apply to such hearings, 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 must be supported by substantial evidence that the student committed any of the above acts listed under "Grounds for Suspension and Expulsion" above. Findings of fact shall be based solely on the evidence at the hearing.

While no evidence 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) and

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 Witness: The following procedures shall be observed when hearings involve allegations of sexual assault or sexual battery by a student: (Education Code 48918)

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

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

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

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

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

f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard.

Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.

g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.

(1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.

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

(3) The person conducting the hearing may:

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

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

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

6. Decision Within Ten Days: The Board's decision on whether to expel a student shall be made within ten school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

7. Decision Within 40 Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative 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. Alternatively, the Board may 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(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified in "Conduct of Expulsion Hearing" above.

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 student shall be immediately reinstated. (See "Reinstatement" below.) The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers and with the student's parent/guardian. (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))

The hearing officer or administrative panel may recommend that the Board suspend the expulsion for a period of one year. (See "Suspension of Expulsion" below.)

The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Stipulated Expulsions

It is the policy of the Redlands Unified School District that, where approved by the Superintendent or designee, parents/guardians may agree to the expulsion of their pupil by stipulation without necessity of a hearing. This process will expedite the pupil's school placement and may expedite the rehabilitation process.

A stipulated expulsion must be purely voluntary. No district administrator or staff member may coerce a pupil, parent or guardian into entering into such a stipulation. Parents/guardians will be given three calendar days to decide on a stipulated expulsion agreement.

If the parent/guardian requests a stipulated expulsion, the Superintendent or designee will promulgate the stipulated agreement. If at any time the parent/guardian decides not to pursue a stipulated agreement, the expulsion proceedings and timelines, extended by the length of the period for consideration of the stipulation, will be reinstated. The stipulated agreement will be presented to the Board for final consideration.

The stipulated agreement will include the terms and conditions of the expulsion order, including alternative placement and a rehabilitation plan to be completed before the student can be re-admitted to the district.

Final Action by the Board

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel, the final action to expel must be taken by the Board at a public meeting. (Education Code 489180)) The Board shall maintain a record of each expulsion, including its cause. Expulsion records shall be non- privileged, disclosable public records.

(cf. 9321.1 - Closed Session Actions and Reports)

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

Upon ordering the 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 an act listed under "Mandatory Recommendation and Mandatory Expulsion" above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. (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 of the student at the time of review for readmission.
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service and other rehabilitative programs.
3. Such other recommendations as the Board approves.

With parental 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)

Upon expulsion, a copy of readmission procedures will be made available to the student and his/her parent/guardian.

Written Notice to Expel

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

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed in Education Code 48900(a)-(o), Education Code 48900.2-48900.4 and Education Code 48915(c). (Education Code 48900.8)
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian. (Education Code 48916)
3. Notice of the right to appeal such expulsion to the County Board of Education. (Education Code 48918)

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

5. The notice also shall inform the student or parent/guardian of his/her 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)

Suspension of Expulsion

The Board, upon voting to expel a student, may suspend the enforcement of the expulsion order for not more than one calendar year. When deciding whether to suspend an expulsion, the Board shall take into account the following criteria:

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

The suspension of the enforcement of an expulsion shall be governed by the following: (Education Code 48917)

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.
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status.
3. The suspension of expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion" above or violates any of the district's rules and regulations governing student conduct.
4. When suspension of expulsion order is revoked, a student may be expelled under the terms of the original expulsion order
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expungement of any or all records of the expulsion proceedings.
6. Suspension 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 of Education.
7. 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 also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education. (Education Code 48918(i))

Right to Appeal

The student or parent/guardian is entitled to file an appeal of the Board's decision to the County Board of Education.

The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion action is suspended and the student is placed on probation. (Education Code 48919)

Post-Expulsion Placements

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 such a site.

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

(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for acts described in items #6 through # 13 and # 17 through # 19 under "Grounds for Suspension and Expulsion" above may be instead referred to a program of study that is provided at another comprehensive middle, junior, or senior high school, or at an elementary school.

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)

Reinstatement

When the Board accepts a recommendation against expulsion or makes its own decision after the hearing not to expel, the decision is final and the student shall be reinstated immediately. The Superintendent or designee shall place the student in any classroom program, other instructional program, rehabilitation program, or any combination of such programs following consultation with district personnel, including the teacher involved, and with the student's parent/guardian. (Education Code 48918(e))

Readmission

An expulsion order shall remain in effect until the Board may order the readmission of the student.

Readmission procedures shall be as follows:

1. A written request for review of expulsion action and request for readmission shall be submitted by the parent/guardian to the Superintendent or designee.
2. The Superintendent or designee will hold a conference with the parent/guardian and the student.
3. At the conference the conditions for readmission will be reviewed. The Superintendent or designee shall verify that the rehabilitation plan has been met.
4. School regulations will be reviewed and the student and parent/guardian will be asked to indicate in writing their willingness to comply with these regulations.
5. The Superintendent or designee will transmit the request for readmission to the Board, along with his/her recommendation. The Board shall consider the request in closed session if the information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it will be honored.
6. The Superintendent or designee will notify the student or parent/guardian, by registered mail, of the district's decision regarding readmission.
7. 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)
8. 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. (Education Code 48916)
9. 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)

Maintenance of Records

The Board will maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls, within five days of a written request by the admitting school. (Education Code 48900.8, 48918(k))

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

cf. 5119 - Students Expelled from Other Districts)

(cf. 5125 - Student Records)

Notifications and Reports

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

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 also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

Outcome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion.
2. The specific grounds for each recommended expulsion.
3. Whether the student was subsequently expelled.
4. Whether the expulsion order was suspended.
5. The type of referral made after the expulsion.
6. The disposition of the student after the end of the expulsion period.

Suspension and Expulsion/Due Process

Redlands Unified
Administrative Regulation
AR 51441
Adopted June 27, 1995
Students

Definitions

Suspension from school 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. Removal from a particular class shall not occur more than once every five school days.

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

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian or legal counsel. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

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, suspension and expulsion. Transfer students and their parents/guardians shall be notified at the time of enrollment. (Education Code 35291.5, 48900.1, 48980)

(cf. 5144 - Discipline)

Notification shall include information about the ongoing availability of individual school rules and all district policies and regulations pertaining to student discipline. (Education Code 35291)

(cf. 5145.6 - Parental Notifications)

Grounds for Suspension and Expulsion

A student may be subject to suspension or expulsion when it is determined that he/she:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense. (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aide or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code 48900(s))

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

(cf. 5131 - Conduct)

(cf. 5131.7 - Weapons and Dangerous Instruments)

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

(cf. 5131.6 - Alcohol and Other Drugs)

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

5. Committed or attempted to commit robbery or extortion. (Education Code 48900(e))
6. Caused or attempted to cause damage to school property or private property. (Education Code 48900(f))
7. Stole or attempted to steal school property or private property. (Education Code 48900(g))
8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products (Education Code 48900(h))
9. Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))
10. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5. (Education Code 48900(j))
11. Disrupted school activities or otherwise willfully defied 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))
12. Knowingly received stolen school property or private property. (Education Code 48900(l))
13. Possessed an imitation firearm, i.e., 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))
14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code 243.4. (Education Code 48900(n))
15. 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))
16. Made terrorist threats against school officials and/or school property. (Education Code 48900.7)
Pursuant to Education Code 48900.7, the making of a terrorist threat includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person or property damage in excess of \$1,000.00, 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.
A student in grades 4 through 12 is also subject to suspension or recommendation for expulsion when it is determined that he/she:
17. Committed sexual harassment as defined in Education Code 212.5. (Education Code 48900.2)
Pursuant to Education Code 48900.2 the conduct constitutes harassment when considered from the perspective of a reasonable person of the same gender as the victim to be 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.
(cf. 5145.7 - Sexual Harassment)
18. 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)
(cf. 5145.9 - Hate-Motivated Behavior)
Education Code 233 defines "hate violence" as any act punishable under Penal Code 422.6, 442.7 or 422.75. Such acts include injuring or intimidating another person, interfering with the exercise of a person's civil rights, or damaging a person's property because of the person's race, color, religion, ancestry, national origin, disability, gender or sexual orientation.
19. Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading student rights by creating an intimidating or hostile educational environment. (Education Code 48900.4)
(cf. 5145.3 - Nondiscrimination/Harassment)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent or principal or within any other school district, including but not limited to the following circumstances: (Education Code 48900)

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.

The Superintendent or principal may use his/her discretion to provide alternative to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program. (Education Code 48900(r))

Alternatives to suspension or expulsion will be used with students who are truant, tardy, or otherwise absent from assigned school activities.

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Truancy)

Removal from Class by a Teacher/Parental Attendance

A teacher may suspend any student from his/her class for the remainder of the day and the following day for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

A teacher also may refer a student to the principal or designee for consideration of suspension from school. (Education Code 48910)

When removing a student from his/her class, the teacher shall immediately report this action to the principal and send the student to the principal for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been removed.

As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the removal. A counselor or psychologist should attend the conference if it is practicable, and a school administrator may attend if either the parent/guardian or teacher so requests.

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

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

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

Pursuant to Board policy, a teacher may provide that the parent/guardian of a student whom the teacher has removed attend a portion of a school day in his/her child's classroom. When a teacher makes this request, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is requested pursuant to law. (Education Code 48900.1)

This notice shall also:

1. Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternate date.
2. Describe the legal protections afforded to the parent/guardian as an employee under Labor Code 230.7.
3. State that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student.
4. Ask the parent/guardian to meet with the principal after the visit and before leaving school, as required by Education Code 48900.1.

Suspension by Superintendent, Principal or Principal's Designee

The Superintendent, principal or principal's designee may suspend a student from a school for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

The Superintendent or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife, as defined in Education Code 48915(g), at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion".
5. Possession of an explosive as defined in 18 USC 921.

Suspension also may be imposed upon a first offense if the Superintendent, principal or designee determines the student violated items #1-5 listed in "Grounds for Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903, 48912)

The Superintendent or designee may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which a student may be suspended in any school year. (Education Code 48903)

Suspensions shall be initiated according to the following procedures:

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the principal, designee or the Superintendent 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 and the evidence against him/her; the student shall be given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911(b))

This conference may be omitted if the principal, designee or the Superintendent determines that an emergency situation exists. An "emergency situation" involves 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 a conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference will be held as soon as the student is physically able to return to school. (Education Code 48911(c))

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee.

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 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 also state the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may add that state law requires the parent/guardian to respond to such requests without delay.

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

While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such conference. The student may not be denied readmission solely because the parent/guardian failed to attend. (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. (Education Code 48911(g))

Any extension of the original period of suspension shall be 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. Extension of the suspension may be made only if 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)

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal or Principal's 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 if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. 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 closed sessions if a public hearing would lead to disclosure of information violating a student's right privacy under Education Code 49073-49079.

(cf. 9321 - Closed Session Purposes and Agendas)

The Board shall provide the student and his/her parent/guardian with written notice of the closed session by or certified mail. 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 Codes 35146, 48912)

On-Campus Suspension Program

Students for whom an expulsion action has not been initiated and who pose no imminent danger or threat to the school may be assigned to a separate, supervised suspension classroom for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

1. The supervised suspension classroom shall be staffed in accordance with law.
2. The student shall have access to appropriate counseling services.
3. The supervised suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.
4. Each student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom. The teacher 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 a supervised 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 shall be made in writing. (Education Code 48911.1)

Authority to Expel

A student may be expelled only by the Board. The Board shall expel, as required by law, any student found to have committed certain offenses listed below under "Mandatory Recommendation and Mandatory Expulsion."

The Board also may order a student expelled for any of the acts listed under “Grounds for Suspension and Expulsion” upon recommendation by the principal, Superintendent, hearing officer or administrative panel, based on finding 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.

Mandatory Recommendation for Expulsion

Unless the principal, Superintendent or designee finds that expulsion is inappropriate due to particular circumstances, the principal, Superintendent or designee shall recommend a student’s expulsion for any of the following acts: (Education Code 48915 (a))

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife as defined in Education Code 48915(g), explosive or other dangerous object of no reasonable use to the student.
3. Unlawful possession of any controlled substance, as listed in the Health and Safety Code 11053-11058, except for the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee.

Mandatory Recommendation and Mandatory Expulsion

Note: The Attorney General has determined, in 80 Ops.Cal. Atty. Gen. 347 (1997), that a district may not adopt a zero tolerance policy mandating expulsion of a student for a first offense of possession of a controlled substance or alcohol.

The principal, Superintendent or designee shall recommend that the Board expel any student found at school or at a school activity to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife as defined in Education Code 48915(g) at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under “Grounds for Suspension and Expulsion” above.
5. Possessing an explosive as defined in 18 USC 921.

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

The initial recommendation for consideration of expulsion is that of the school principal or the Superintendent. Designees may not make this type of recommendation.

The recommendation for consideration of expulsion shall be submitted to the Director, Office of Student Services, who will review the material and recommend:

1. Reassignment to appropriate regular education program.
2. Refer student to Alternative Program; i.e., Community School, Independent Study, Continuation or Opportunity School, or other district programs.
3. Refer the matter to the Discipline Review Panel for further consideration.

When a case is referred to the discipline Review Panel, the panel shall question school personnel who have information on the incident and the behavior record of the student charged and weighs the evidence presented.

The panel shall, in the case of an expulsion consideration, weigh information presented to determine:

- a. Is the evidence sufficient to support consideration by the expulsion panel?
- b. Has the district, through the schools involved, considered or utilized alternatives to expulsion when possible?
- c. Have due process procedures been adhered to?

The recommendation shall be either to proceed with the expulsion or to utilize an existing practical alternative in lieu of expulsion.

If the district (school) has not adhered to due process requirements, the student shall be returned to school immediately.

If the Discipline Review Panel meets to consider a matter other than an expulsion, it shall provide its best judgment as to an effective alternative program or plan to action.

The recommendation of the Discipline Review Panel shall be forwarded to the Director, Office of Student Services, who shall then review the facts, concur, veto or modify the recommendation.

4. That an expulsion panel be convened.

At the time a recommendation for expulsion is submitted, a hearing shall be scheduled by the Superintendent or designee to determine whether the suspension shall be extended. If the decision is to extend the suspension, the period of time shall be until the Board has rendered a decision or until the expulsion process is otherwise terminated.

The extension of suspension shall be based upon determination by the Superintendent or designee that the presence of the student at the school or in an alternative school placement would cause a danger to persons or property or a threat of disrupting the instructional process. This extension shall be imposed only after the student and the parent/guardian have been given the opportunity to be present at a hearing conducted by the Superintendent or designee. At this time, the student and parent/guardian shall be given the opportunity to be heard and present any information that might bear upon the decision.

Materials which support the decision of the person recommending the expulsion shall be prepared and submitted to the Office of Student Services. The departments of Attendance, Guidance, Special Education and/or Health may be requested to assist in the preparation of this material.

Student's Right to Expulsion Hearing

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred. (Education Code 48918 (a))

The student is entitled to 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 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 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 no 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))

Waiver of Hearing (Default Proceedings)

If the parent/guardian agrees that their son/daughter behaved essentially in the manner stated in the principals letter recommending expulsion and that such behavior constitutes a violation of the California Education Code, Section 48900, 48900.2, 48900.3, 48900.4, 48900.7 and/or 48915 a suspendable/expellable offense, the parent/guardian may request to waive the Administrative Hearing Panel.

When the parent/guardian agrees to waive the Administrative Hearing Panel, they also waive all notification and timelines related to the expulsion hearing process, along with their rights to appeal the determination of the Board.

The signed affidavit and findings of fact will be submitted to the Board for their approval. The Board has the discretionary power to accept, reject, or modify all recommendations.

Rights of Complaining Witness

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

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

1. Receive five days' notice of his/her scheduled testimony at the hearing.
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies.
3. Have a closed hearing during the time he/she testifies.

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

Written Notice of the Expulsion Hearing (Education Code 48918(b))

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

1. The date and place of the hearing.
2. A statement of the specific facts, charges and offense upon which the proposed expulsion is based.
3. A copy of district disciplinary rules which relate to the alleged violation.
4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment. This obligation applies when a student is expelled for acts other than those described in Education Code 48915 (a) or (c).
(cf. 5119 - Students Expelled from other Districts)

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

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

Non-attorney advisor 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.

Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and 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 request is made, the meeting shall be public, unless another student's privacy rights would be violated.

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to determine if the student should be expelled. If the Board admits any other person to the closed session, the parent/guardian, the student, and the counsel of the student, shall also be allowed to attend the closed session. (Education Code 48918(c))

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

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

3. Subpoenas: Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with the Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20, formerly 11525. (Education Code 48918(i))

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

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

4. Presentation of Evidence: While technical rules of evidence do not apply to expulsion hearings, 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 must be supported by substantial evidence that the student committed any of the acts listed in "Grounds for Suspension and Expulsion" above.

Findings of fact shall be based solely on the evidence at the hearing. While no evidence 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) and (h))

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

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

- a. Any complaining witness shall be given five days' notice before being called to testify.
- b. Any complaining witness shall be entitled to have up to two adult support persons, including but not limited to a parent/guardian or legal counsel, present during his/her testimony.
- c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- e. If one or both support persons are also witnesses, the hearing shall be conducted according to Penal Code 868.5.
- f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.

g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.

(1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.

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

(3) The person conducting the hearing may:

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

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

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

6. Decision Within 10 Days: The Board's decision on whether to expel a student shall be made within 10 school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

7. Decision Within 40 Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

Instead of conducting an expulsion hearing itself, the Board may contract with the county hearing officer or with the Office of Administrative Hearings of the State of California for a hearing officer. Alternatively, the Board may 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(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified in "Conduct of Expulsion Hearing."

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 student shall be immediately reinstated. (See "Reinstatement.") The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers, and with the student's parent/guardian. (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 for a period of one year. (See "Decision Not to Enforce Expulsion Order" below.)

The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

The Discipline Review Panel

The Discipline Review Panel will consist of elementary educators when a review is being made of an elementary student and of secondary educators when a review is being made of secondary student.

1. The Discipline Review Panel shall hear the following types of disciplinary cases:

a. Requests for expulsion from site principals or the Superintendent.

b. School site administrative requests for assistance (non-expulsion situations).

2. Each discipline review panel shall consist of three certificated persons plus a chairperson and shall consist of elementary educators when a review is being made of an elementary student and of secondary educators when a review is being made of a secondary student. A panelist may not serve on any panel involving a student who is currently attending the school in which he/she is assigned. A representative from Student Services shall be a nonvoting member of each panel.

A chairperson and assistant chairperson, to serve when the chairperson is unable to serve, shall be appointed by the Superintendent or designee and shall serve at his/her pleasure. Neither shall be a member of the Student Services staff.

A pool of panelists shall be established which shall be composed of personnel who have served or are currently serving as members of administrative expulsion panels. The committee chairman shall select members to serve on individual panels.

The meetings of the discipline review panel are open to school district personnel only.

The duties of the Discipline Review Panel are as follows:

1. The chairperson shall call a meeting of the panel as soon as possible, but no later than 10 school days after the receipt of notice of a pending case.
2. A recommendation must be forwarded to the Director, Office of Student Services, within three days of the review hearing.
3. In the event a member of the committee cannot be present at a meeting, the Director, Office of Student Services, will appoint an alternate from the pool to attend.

Final Action by the Board

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

(cf. 9321.1 - Closed Session Actions and Reports)

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

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 an act listed under "Mandatory Recommendation and Mandatory Expulsion" above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. (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 of the student at the time of review for readmission.
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service and other rehabilitative programs.

With parental 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 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 in Education Code 48900 (a)-(o), Education Code 48900.2-48900.4, Education Code 48915 (c) and (Education Code 48900.8).
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian. (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Governing Board. (Education Code 48918)
4. Notice of the alternative educational placements 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 Not to Enforce Expulsion Order

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

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

The suspension of the enforcement of an expulsion shall be governed by the following: (Education Code 48917)

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.
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status.
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" above or violates any of the district's rules and regulations governing student conduct.
4. When the suspension of the enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order.
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings.
6. 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 County Board of Education.
7. 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 also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education. (Education Code 48918 (j))

Right to Appeal

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

Post-Expulsion Placements

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

(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for acts described in items #6 through #13 and #17 through #19 under "Grounds for Suspension and Expulsion" may be instead 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

Readmission procedures shall be as follows:

1. On the date set by the Board when it ordered the expulsion, the district shall consider readmission of the student. (Education Code 48916)
2. 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.

3. The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session if information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it shall be honored.
4. 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.
5. 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)
6. 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. (Education Code 48916)
7. 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)

Maintenance of Records

The Board shall maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls, within five days of a written request by the admitting school. (Education Code 48900.8, 48918(k))

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

(cf. 5119 - Students Expelled from Other Districts)

(cf. 5125 - Student Records)

Notifications 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 also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

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

Ouome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion.
2. The grounds for each recommended expulsion.
3. Whether the student was subsequently expelled.
4. Whether the expulsion order was suspended.
5. The type of referral made after the expulsion.
6. The disposition of the student after the end of the expulsion period.

Regulation: REDLANDS UNIFIED SCHOOL DISTRICT

Approved: June 27, 1995, Redlands, California

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

Site administrators contribute to a positive school climate, promote positive pupil behavior, and help reduce inappropriate conduct. The principal/designee uses available district and other appropriate records to inform teachers of each pupil identified under E.C. 49079.

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

Policy 4119.11: Sex Discrimination and Sex-Based Harassment

The Governing Board is committed to providing a safe work environment that is free of harassment and intimidation. The Board prohibits sexual harassment against district employees by anyone, in any manner, and prohibits retaliatory action or behavior against any persons who complains, testifies, or otherwise participates in the complaint process established pursuant to this policy and accompanying administrative regulation. This policy shall apply to all district employees, interns, volunteers, contractors, job applicants, and other persons with an employment relationship with the district.

(cf. 0410 - Nondiscrimination in District Programs and Activities) (cf. 4030 - Nondiscrimination in Employment)

Sexual harassment includes, but is not limited to, harassment that is based on the sex, gender, gender identity, gender expression, or sexual orientation of the victim and harassment based on pregnancy, childbirth, or related medical conditions.

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation, and correction of sexual harassment, including but not limited to:

1. Providing training to all staff in accordance with law and administrative regulation.
2. Publicizing and disseminating the district's sexual harassment policy to staff.
3. Ensuring prompt, thorough, equitable, and fair investigation of complaints
4. Taking timely and appropriate corrective/remedial actions which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments.

The Superintendent or designee shall periodically evaluate the effectiveness of the district's strategies to prevent and address harassment. Such evaluation may involve conducting regular anonymous employee surveys to assess whether harassment is occurring or is perceived to be tolerated, partnering with researchers or other agencies with the needed expertise to evaluate the district's prevention strategies, and using any other effective tool for receiving feedback on systems and/or processes. As necessary, changes shall be made to the harassment policy, complaint procedures, or training.

Sexual Harassment Reports and Complaints

Any district employee who feels that he/she has been sexually harassed in the performance of their district responsibilities or who has knowledge of any incident of sexual harassment by or against another employee shall immediately report the incident to his/her supervisor, the principal, other district administrator, or the district's Title IX Coordinator. However, an employee may bypass his/her supervisor in filing a complaint if the supervisor is the subject of the complaint. A supervisor, principal, or district administrator who receives a harassment complaint shall promptly notify the Title IX Coordinator.

Once notified, the Title IX Coordinator shall ensure the complaint or allegation is addressed through AR 4119.12/4219.12/4319.12 – Title IX Sexual Harassment Complaint Procedures or AR 4030- Nondiscrimination in Employment, as applicable. Because a complaint or allegation that is dismissed or denied under the Title IX complaint procedure may still be subject to consideration under state law, the Title IX Coordinator shall ensure that any implementation of AR 4119.12/4219.12/4319.12 concurrently meets the requirements of AR 4030.

Notwithstanding the above, BP/AR 4119.12/4219.12/4319.12 and 4030 shall under no circumstances be used to resolve complaints brought by, on behalf of, or against students. All complaints brought by, on behalf of, or against students that allege “sexual harassment” as that term is defined in the federal regulations implementing Title IX of the Education Amendments of 1972 (see 34 C.F.R. § 106, et seq.) shall be investigated and resolved under BP/AR 5145.71. All complaints brought by, on behalf of, or against students that do not meet the definition of “sexual harassment” as set forth in the Title IX implementing regulations shall be investigated and resolved under BP/AR 1312.3.

(cf. 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaints)

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

Upon investigation of a sexual harassment complaint, any district employee who engages, or participates in sexual harassment, or who aids, abets, incites, compels, or coerces another to commit sexual harassment in violation of this policy is subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Reports) (cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4218 -

Dismissal/Suspension/Disciplinary Action)

Regulation 4119.12: Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures

The complaint procedures described in this administrative regulation shall be used to address any complaint governed by Title IX of the Education Amendments of 1972 alleging that a district employee, while in an education program or activity in which a district school exercises substantial control over the context and respondent, was subjected to one or more of the following forms of sexual harassment: (34 CFR 106.30, 106.44)

1. A district employee conditioning the provision of a district aid, benefit, or service on a person's participation in unwelcome sexual conduct
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291 (cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

All other sexual harassment complaints or allegations shall be investigated and resolved in accordance with AR 4030

- Nondiscrimination in Employment. The determination of whether the allegations meet the definition of sexual harassment under Title IX shall be made by the district's Title IX Coordinator.

(cf. 4030 - Nondiscrimination in Employment)

Because the complainant has a right to pursue a complaint under AR 4030 for any allegation that is dismissed or denied under the Title IX complaint procedure, the Title IX Coordinator shall ensure that all requirements and timelines for AR 4030 are concurrently met while implementing the Title IX procedure.

Reporting Allegations/Filing a Formal Complaint

An employee who is the alleged victim of sexual harassment may submit a report of sexual harassment to the district's Title IX Coordinator using the contact information listed in AR 4119.11/4219.11/4319.11 - Sexual Harassment or to the employee's direct supervisor or other district administrator, who shall forward the report to the Title IX Coordinator within one day of receiving the report. Upon receiving such a report, the Title IX Coordinator shall inform the complainant of the right to file a formal complaint and the process for filing a formal complaint.

A formal complaint, with the complainant's physical or digital signature, may be filed with the Title IX Coordinator in person, by mail, by email, or by any other method authorized by the district. (34 CFR 106.30)

Even if the alleged victim chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations when a safety threat exists. In addition, the Title IX Coordinator may file a formal complaint in other situations as permitted under the Title IX regulations, including as part of the district's obligation to not be deliberately indifferent to known allegations of sexual harassment. In such cases, the Title IX Coordinator shall provide the alleged victim notices as required by the Title IX regulations at specific points in the complaint process.

The Title IX Coordinator, investigator, decision-maker, or a facilitator of an informal resolution process shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. Such persons shall receive training in accordance with 34 CFR 106.45. (34 CFR 106.45)

Supportive Measures

Upon receipt of a report of Title IX sexual harassment, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures and shall consider the complainant's wishes with respect to the supportive measures implemented. Supportive measures shall be offered as appropriate, as reasonably available, and without charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures shall be nondisciplinary, nonpunitive, and not unreasonably burden the other party, including measures designed to protect the safety of all parties or the district's educational environment or to deter sexual harassment. Supportive measures may include, but are not limited to, counseling, extensions of deadlines, modifications of work schedules, mutual restrictions on contact, changes in work locations, leaves of absence, increased security, and monitoring of certain areas of the campus. (34 CFR 106.30, 106.44)

The district shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the district's ability to provide the supportive measures. (34 CFR 106.30)

Emergency Removal

If a district employee is the respondent, the employee may be placed on administrative leave during the pendency of the formal complaint process. (34 CFR 106.44)

If the respondent is a student, the district may, on an emergency basis, remove the student from the district's education program or activity, provided that the district conducts an individualized safety and risk analysis, determines that removal is justified due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations, and provides the student with notice and an opportunity to challenge the decision immediately following the removal. This authority to remove a student does not modify a student's rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973. (34 CFR 106.44)

Dismissal of Complaint

The Title IX Coordinator shall dismiss a formal complaint if the alleged conduct would not constitute sexual harassment as defined in

34 CFR 106.30 even if proved. The Title IX Coordinator shall also dismiss any complaint in which the alleged conduct did not occur in the district's education program or activity or did not occur against a person in the United States, and may dismiss a formal complaint if the complainant notifies the district in writing that the complainant would like to withdraw the complaint or any allegations in the complaint, the respondent is no longer employed by the district, or sufficient circumstances prevent the district from gathering evidence sufficient to reach a determination with regard to the complaint. (34 CFR 106.45)

Upon dismissal, the Title IX Coordinator shall promptly send written notice of the dismissal and the reasons for the dismissal simultaneously to the parties and shall inform them of their right to appeal the dismissal of a formal complaint or any allegation in the complaint in accordance with the appeal procedures described in the section "Appeals" below. (34 CFR 106.45)

If a complaint is dismissed, the conduct may still be addressed pursuant to AR 4030 - Nondiscrimination in Employment as applicable.

Informal Resolution Process

When a formal complaint of sexual harassment is filed, the district may offer an informal resolution process, such as mediation, at any time prior to reaching a determination regarding responsibility. The district shall not require a party to participate in the informal resolution process or to waive the right to an investigation and adjudication of a formal complaint. (34 CFR 106.45)

The district may facilitate an informal resolution process provided that the district: (34 CFR 106.45)

1. Provides the parties with written notice disclosing the allegations, the requirements of the informal resolution process, the right to withdraw from the informal process and resume the formal complaint process, and any consequences resulting from participating in the informal resolution process, including that records will be maintained or could be shared.
2. Obtains the parties' voluntary, written consent to the informal resolution process

Written Notice

If a formal complaint is filed, the Title IX Coordinator shall provide the known parties with written notice of the following: (34 CFR 106.45)

1. The district's complaint process, including any informal resolution process
2. The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known. Such notice shall be provided with sufficient time for the parties to prepare a response before any initial interview. If, during the course of the investigation, new Title IX allegations arise about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.
3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process
4. The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an attorney, and the ability to inspect and review evidence
5. The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process

The above notice shall also include the name of the investigator, facilitator of an informal process, and decision-maker and shall inform the parties that, if at any time a party has concerns regarding conflict of interest or bias regarding any of these persons, the party should immediately notify the Title IX Coordinator.

Investigation Procedures

During the investigation process, the district's designated investigator shall: (34 CFR 106.45)

1. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and

exculpatory evidence

2. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence
3. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney
4. Not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding, although the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as the restrictions apply equally to both parties
5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate
6. Send in an electronic format or hard copy to both parties and their advisors, if any, the evidence obtained as part of the investigation that is directly related to the allegations raised in the complaint, and provide the parties at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report
7. Objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and determine credibility in a manner that is not based on a person's status as a complainant, respondent, or witness
8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review and written response

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. (34 CFR 106.45)

Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.

If the complaint is against an employee, rights conferred under an applicable collective bargaining agreement shall be applied to the extent they do not conflict with the Title IX requirements.

Written Decision

The Superintendent shall designate an employee as the decision-maker to determine responsibility for the alleged conduct, who shall not be the Title IX Coordinator or a person involved in the investigation of the matter. (34 CFR 106.45)

After the investigative report has been sent to the parties but before reaching a determination regarding responsibility, the decision-maker shall afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party.

The decision-maker shall issue, and simultaneously provide to both parties, a written decision as to whether the respondent is responsible for the alleged conduct. (34 CFR 106.45)

The written decision shall be issued within 60 calendar days of the receipt of the complaint.

The timeline may be temporarily extended for good cause with written notice to the complainant and respondent of the extension and the reasons for the action. (34 CFR 106.45)

In making this determination, the decision-maker shall use the "preponderance of the evidence" standard for all formal complaints of sexual harassment. (34 CFR 106.45)

The written decision shall include the following: (34 CFR 106.45)

1. Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR 106.30

2. A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the district includes hearings as part of the grievance process
3. Findings of fact supporting the determination
4. Conclusions regarding the application of the district's code of conduct or policies to the facts
5. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's educational program or activity will be provided by the district to the complainant
6. The district's procedures and permissible bases for the complainant and respondent to appeal

Appeals

Either party may appeal the district's decision or dismissal of a formal complaint or any allegation in the complaint, if the party believes that a procedural irregularity affected the outcome, new evidence is available that could affect the outcome, or a conflict of interest or bias by the Title IX Coordinator, investigator(s), or decision-maker(s) affected the outcome. If an appeal is filed, the district shall: (34 CFR 106.45)

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties
2. Ensure that the decision-maker(s) for the appeal is trained in accordance with 34 CFR 106.45 and is not the same decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator
3. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome
4. Issue a written decision describing the result of the appeal and the rationale for the result
5. Provide the written decision simultaneously to both parties

An appeal must be filed in writing within 10 calendar days of receiving the notice of the decision or dismissal, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered.

A written decision shall be provided to the parties within 20 calendar days from the receipt of the appeal.

Either party has the right to file a complaint with the U.S. Department of Education's Office for Civil Rights within 180 days of the date of the most recently alleged misconduct.

The complainant shall be advised of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal antidiscrimination laws, if applicable.

Remedies

When a determination of responsibility for sexual harassment has been made against the respondent, the district shall provide remedies to the complainant. Such remedies may include the same individualized services described above in the section "Supportive Measures," but need not be nondisciplinary or nonpunitive and need not avoid burdening the respondent. (34 CFR 106.45)

Disciplinary Actions

The district shall not impose any disciplinary sanctions or other actions against a respondent, other than supportive measures as described above in the section "Supportive Measures," until the complaint procedure has been completed and a determination of responsibility has been made. (34 CFR 106.44)

When an employee is found to have committed sexual harassment or retaliation, the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Report)

(cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4119.11/4219.11/4319.11 - Sexual Harassment) (cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Record-Keeping

The Superintendent or designee shall maintain, for a period of seven years: (34 CFR 106.45)

1. A record of all reported cases and Title IX investigations of sexual harassment, any determinations of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary sanctions imposed, any remedies provided to the complainant, and any appeal or informal resolution and the results therefrom.
2. A record of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment, including the district's basis for its conclusion that its response was not deliberately indifferent, the measures taken that were designed to restore or preserve equal access to the education program or activity, and, if no supportive measures were provided to the complainant, the reasons that such a response was not unreasonable in light of the known circumstances.
3. All materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process. The district shall make such training materials publicly available on its web site, or if the district does not maintain a web site, available upon request by members of the public.

(cf. 1113 - District and School Web Sites) (cf. 3580 - District Records)

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

Policy 5132.16: Student Dress Guidelines

The Governing Board believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Students' clothing must not present a health or safety hazard or a distraction which would interfere with the educational process.

Students and parents/guardians shall be informed about dress and grooming standards at the beginning of the school year and whenever these standards are revised. A student who violates these standards shall be subject to appropriate 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 dress code may be included as part of the school safety plan and must be presented to the Board for approval. The Board shall approve the plan upon determining that it is necessary to protect the health and safety of the school's students.

Uniforms

The Board recognizes that, in order to promote student safety and discourage peer rivalry and/or gang activity, the principal, staff and parent/guardian at a school site may wish to establish a reasonable dress code, which may include voluntary school uniforms.

Dress codes, which include voluntary school uniforms, may be included as part of the school safety plan submitted as required.

The Superintendent or designee shall establish procedures that schools, parents and guardians will follow if they decide to participate with the voluntary school uniform policy. Students shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardian decide not to participate.

The Governing Board feels that there is nothing inherently wrong with dress or color of dress, but when student's dress serves to intimidate or impede the rights of other students it will be determined that dress is in violation of this policy. A student may not remain at school dressed in a manner which (1) creates a safety hazard for said student or for other students at school, and/or (2) when the dress constitutes a serious and unnecessary distraction to the learning process or tends to disrupt campus order

When the site administrator/designee determines that a student's attire is in violation of this policy, the student will be required to modify his/her clothing and/or apparel in such a manner that it no longer violates this policy. If necessary, the student may be taken or sent home with parental permission to modify unacceptable dress and return to school. Refusal to take steps as described in this policy shall be cause for disciplinary action against the student. Any such disciplinary action shall be handled pursuant to existing student disciplinary policy

Parents/guardians have primary responsibility to see that students are properly attired for school. School district personnel have the responsibility for maintaining proper and appropriate conditions conducive to learning. Hence, the following guidelines will be implemented in all district schools.

1. Shoes will be worn at all times. A substantial sole is required and enclosed toe and heel footwear are highly encouraged.
2. Extremely brief garments that are distracting to the educational environment are not appropriate. Clothing shall be sufficient to conceal undergarments at all times.
3. Clothing or accessories shall be free of writing, pictures or any other insignia which are crude, violent, obscene or sexually suggestive or which advocate racial, ethnic or religious prejudice or the use of tobacco, drugs or alcohol.
4. Earrings, jewelry, or accessories which present a safety hazard to the wearer or others are not suitable for school wear.
5. Only prescription sunglasses may be worn in class. Other types of sunglasses may be worn on campus outside of class.
6. Identified gang attire such as bandannas, haircuts or hair rollers, or any gang paraphernalia are prohibited.

Students are allowed to wear sun protective clothing, including hats, while outdoors during the school day. Each school site will develop a policy indicating the type of sun protective hats that are permitted.

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

The purpose of adopting these Student Dress Guidelines is not to infringe on any individual student's rights to freedom of expression, but rather to encourage students to dress appropriately and come to school properly prepared for participating in the educational process.

Gang-Related Apparel

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed as needed and updated as necessary.

Uniforms

In schools where a majority of parents respond and indicate on a survey that they desire to establish a voluntary school-wide uniform dress code, the principal, staff and the parents/guardians of the individual school site shall:

1. Jointly select the specific uniform to be worn. (Education Code 35183)
2. Describe the uniform parts and identify local vendors who sell those pieces of clothing. A description of the implementation of the voluntary uniform dress code will be submitted to the superintendent's designee including:
 - a. The process for parent notification
 - b. Positive procedures that will be used to encourage students to participate with the voluntary uniform dress code
3. A description of the uniform and a list of costs for each competitively priced item of clothing as provided by a variety of vendors will be sent to parents.
4. Parents will be notified that this is a voluntary uniform dress code and that students not participating shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardians so decide.

Parent Notification

The principal shall give parents/guardian at least six months notice before a school site implements a voluntary school uniform dress code. (Education Code 35183)

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

Closed campus: All doors which provide access to classrooms and other rooms, except the main office, remain locked. All visitors to the campus must come through the office to sign in through the Raptor System and obtain a visitor's badge which they must wear for the duration of the time they are on campus. All perimeter gates are locked during school hours and during the YMCA after school program. Leaving early: Students must stay on campus from the time of arrival in the morning until school ends. Students may leave campus during school hours if parents, guardians, or persons designated by parents or guardians come to pick them up from school. A prior written request from a parent or guardian must be submitted if someone other than the parent or someone on the emergency card is going to pick up a child. Persons picking up students during the school day must sign the student out in the front office. They must be at least 18 years of age and provide a valid ID. Under no circumstances should a student leave campus without permission. Late arrivals: If a student is late in the morning, they must report to the office for a late slip and then quickly go to class. Volunteers: Cram appreciates our volunteers. School volunteers are required to fill out a volunteer application. Upon clearance you may begin volunteering at Cram and throughout RUSD. Volunteers are required to check in with school personnel at each visit.

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

Component:

Physical Environment

The Schools' Location and Physical Environment

Cram Elementary School is located in the Highland area of San Bernardino County that has an average crime rate and average poverty level. The immediate area round the school includes single family homes and condominiums. Present safety hazards include student drop-off and student pick-up. As well as drivers in the area driving at unsafe speeds on the busy streets near the school including Baseline, Weaver Street, and Greenspot Road.

Description of School Grounds

The school site encompasses 9 acres. The grounds are grass, concrete and asphalt and includes basketball and volleyball courts, baseball diamonds and a lined track. There are several wings and/or clusters of classrooms including 14 classrooms 16 re-locatable classrooms. Other ancillary structures include Multi-Purpose Room, Office and Staff Room, as well as staff and student restrooms..

During the school day, staff members and administrators shall provide campus supervision. Identified problem areas receive increased supervision to reduce discipline, crime, or other school safety concerns.

It shall be the practice of Cram Elementary School to remove all graffiti from school property before pupils arrive to begin their school day. Other acts of vandalism are promptly addressed.

Maintenance of School Buildings/Classrooms

The school's physical facility is well maintained and generally looks neat and clean. The school was most recently painted 2018-2019 school year renovated during the N/A year. District personnel periodically examine the school's physical facility and help eliminate obstacles to school safety. Additionally, health and fire department inspectors contribute to school safety.

The woodchips were replaced on the playground in August 2022 and the school is received upgraded playground equipment in December of 2023.

Internal Security Procedures

Cram Elementary School has established procedures in the following areas: California Safe School Assessment (CSSA) reporting procedures, suspension and expulsion procedures, inventory system, and school access procedures that include single point of entry, and the use of the Raptor Technologies to verify school visitors. The school grounds are fenced and kept locked during the school day and all support staff outside of the classroom have radios to communicate when needed. Throughout the year monthly drills are practiced with the students so students are prepared in case of an emergency such as a fire, earthquake, or lockdown. In addition, there is a procedure in place for student discipline, bully prevention and reporting, as well as school wide expectations. The staff has been trained in Safety and Mandated Reporting. The school community has access to the See Something, Say Something phone number throughout campus for additional support. Cram also provides Intervention for social and emotional issues that may arise with any of our students. The counselor as well as the administrators are available to provide on the spot interventions as need and can gain additional support at the district and community level as needed.

Cram Elementary School crime statistics reflect a total of 3 crimes reported during the 2023-2024 school year, each involving vandalism.

Keeping reportable crimes at a minimum requires constant vigilance. The following strategies will be utilized in achieving this goal Raptor Technologies; Single Point of Entry; Principal and custodian perimeter walks daily; Active Supervision Training has been provided to all campus monitors; Visitors and volunteers must have completed the district process to enter school grounds during the school day; Communication with staff and families is on-going on all topics including safety; Staff has access to the emergency contact information provided to them as well as a See Something, Say Something in their classrooms; Planned Monthly Safety Drills; Behavior Expectations Assemblies have been provided to all students; On-going staff trainings on various health and safety topics are planned throughout the year

Cram Elementary School maintains a copy of the district's sexual harassment policy in the main office/principal's office and the policy is available on request. The District's Sexual Harassment Policy contains dissemination plans, applicable definitions, reporting requirements, investigation procedures, enforcement regulations, and information related to suspension and/or expulsion for sexual harassment of or by pupils. Additionally, a notice summarizing this sexual harassment policy appears in the Parent & Student Handbook, The parent student handbook is distributed at the beginning of each school year to all parents and pupils. All policies are clearly posted in all classrooms, restrooms, and public spaces on campus.

To ensure the safety of pupils and staff, all visitors to the campus, except pupils of the school and staff members, shall register immediately upon entering any school building or grounds when school is in session. District employees, not assigned to Cram Elementary School shall wear appropriate identification badges while on campus conducting business.

Discipline procedures shall focus on finding the cause of problems and working with all concerned to reach the proper, lawful solutions. The school's discipline plan begins at the classroom level. Teachers shall use a visible classroom management plan to communicate classroom rules, promote positive pupil conduct, and reduce unacceptable conduct. Appropriate consequences are administered based on the seriousness of the pupil's misbehavior.

Pupil conduct standards and consequences for Cram Elementary School are specifically described in this Comprehensive Schools Safety Plan including: (a) the adopted school discipline rules and procedures, (b) District Disciplinary Guidelines, and (c) the adopted school-wide dress code.

Pupils may be suspended, transferred to another school, or recommended for expulsion or for certain acts. For specific student violations, a mandatory expulsion recommendation shall be submitted by the administration of Cram Elementary School.

Site administrators contribute to a positive school climate, promote positive pupil behavior, and help reduce inappropriate conduct. The principal/designee uses available district and other appropriate records to inform teachers of each pupil identified under E.C. 49079.

Law enforcement is contacted and consulted to help maintain and to promote a safe and orderly school environment. Cram Elementary School employees comply with all legal mandates, regulations, and reporting requirements for all instances of suspected child abuse.

If appropriate, additional internal security procedures affecting the integrity of the school facility include: Beattie Middle School and Citrus Valley High School Security Teams, School and District Mental Health Support, Child Protective Services, and the San Bernardino Sheriff Department.

Community involvement is encouraged to help increase school safety.

Our community is encouraged to reach out with any and all concerns regarding student safety. Campus visitors and volunteers must adhere to the district policies and approval procedure. Cram staff, including the after-school program staff have access to local law enforcement phone numbers, Child Protective Services Hotline, and the See Something, Say Something Hotline.

Inventory System - Engraved ID, Security Storage

Most school-site equipment has a metal ID tag or a bar cod sticker adhered to its surface. These items are inventoried annually and there is an established accountability system. Office and classroom supplies are secured.

Element:

Goal 1:

Cram will hold a high standard for student behavior.

Opportunity for Improvement:

I. Areas of Pride and Desired Improvements

a. Pride

1. School-Wide PBIS Systems and No Excuses University Program.
2. Updated daily schedules to include daily instruction in Social & Emotional Learning.

b. Areas of Desired Improvement

1. To have the pavement and sidewalks scheduled to have the cracks and potholes filled and the lips filed down.
2. To improve/increase hardscaping in several areas of the campus

Objectives	Action Steps	Resources	Lead Person	Evaluation
II. Desired Change #1 To have the pavement and sidewalks scheduled to have the cracks and potholes filled and the lips filed down.	a. Related Strategies and Activities 1. Request a meeting with Maintenance and Operations to review the concerns. 2. Replace or problem solve a solution for current/potential problem areas.	b. Resources Required 1. Funding 2. Labor e. Budget 1. Unknown 2.	c. Personnel Assignments 1. Principal 2. Maintenance and Operations	f. Evaluation criteria 1. Before and After pictures 2. Completion of work d. Timeframe for completion 1. November 22, 2024 2. June of 2025
III. Desired Change #2 To redesign hardscaping in the front of the campus and interior to create less mud runoff for safety purposes.	a. Related Strategies and Activities 1. Request a meeting with Maintenance & Operations 2. Create a plan for the work that needs to be completed along with a timeline	b. Resources Required 1. Funding 2. Labor e. Budget 1. Unknown 2.	c. Personnel Assignments 1. Principal 2. Maintenance and Operations	f. Evaluation criteria 1. Before and after pictures 2. Completion of work d. Timeframe for completion 1. December 1, 2024 2. June 2025

Component:

School Climate

The School's Social Environment

Leadership at Cram Elementary School is a shared process. A proactive role is assumed in all phases of the school operation. The current management team is committed to developing Cram Elementary School toward excellence in the areas of academic and social behavior.

The principal sets a positive tone for the school, guides the staff and works closely with them on curriculum and school safety issues. The school site's organizational structure is open and flexible contributing to sensitivity concerning school safety issues and promoting a safe, orderly school environment conducive to learning.

Disaster Procedures, Routine and Emergency

A contingency plan for emergencies is contained in a handbook available to each staff member. The District's Emergency Response Plan - (ERP Plan) is listed at the last section of this plan. The plan is reviewed at the beginning of each school year. This plan also contains available district and outside agency resources, emergency disaster procedures and information on Standardized Emergency Management System (SEMS).

Classroom Organization and Structure

Cram Elementary School teachers provide a varied learning environment in their classrooms. Teachers use a variety of teaching strategies including: Universal design strategies, first best instruction, whole group instruction, small group instruction, one to one support, intervention in ELA, Math, and Social Emotional Learning, daily instruction in Language Arts, Math, English Language Development, and Social & Emotional Learning. Additional support include additional staff to support in Reading Intervention, Math Intervention, STEAM Lab, and enrichment opportunities. In addition students have access to technology to support their learning as well as additional after school opportunities.

The teachers at Cram Elementary School are highly qualified, with many teachers holding advanced degrees. The staff is united in their desire to provide quality education for all pupils. Classrooms and teachers provide safe, orderly learning environment, enhance the experience of learning, and promote positive interactions amongst pupil and staff. Instructional time is maximized and disruptions are minimized.

The School's Cultural Environment

There is a high level of cohesiveness among the staff members at Cram Elementary School. Cooperation and support between teachers and the administration is evident. Efforts are made by the administration and staff to show concern for all pupils.

All pupils are expected to behave in a manner that promotes safety and order. Pupils are encouraged to bring problems to the principal, assistant principal, counselor, teacher or other staff members. The everyday goal is for the staff to be proactive rather than reactive in all situations of concern.

The academic and behavior efforts of pupils are recognized and rewarded.

Cultural diversity is celebrated throughout the year by educating staff in the area of Cultural Diversity. The inclusion of celebrations such as Asian Pacific Islander Month, Black History Month, Women's History Month in addition to lessons embedded in district adopted curriculum. Diversity is also celebrated in various Parent and School-Wide events and assemblies throughout the school year.

Element:

Goal 2:

All staff will have a clear understanding of how to react in the event of a lockdown or natural disaster.

Opportunity for Improvement:

I. Areas of Pride and Desired Improvements

a. Pride

1. Creation of a school-wide safety team to support student safety.
2. Safety measures we have in place to ensure student safety (Raptor, Staff Communication, Staff Training).

b. Areas of Desired Improvement

1. Additional planning and training for lockdown drills.
2. Updated radios to make sure we can communicate in an emergency.
3. Upgraded/Additional security cameras for visual assistance in emergencies and for normal safety

Objectives	Action Steps	Resources	Lead Person	Evaluation
II. Desired Change #1 Additional planning and training for lockdown drills.	a. Related Strategies and Activities 1. Safety Team Meeting and planning for Lockdowns 2. Plan and train the remainder of the staff for upcoming drills	b. Resources Required 1. Safety Plan and Training 2. Schedule lock down and high-alert lock down drill e. Budget 1. 0	c. Personnel Assignments 1. Principal 2. Safety Committee	f. Evaluation criteria 1. Staff meeting Agenda and Sign-in Sheet 2. Staff Feedback Form d. Timeframe for completion 1. December 1, 2024 2. February 1, 2025 and additional dates if needed
III. Desired Change #2 Updated radios to make sure we can communicate in an emergency.	a. Related Strategies and Activities 1. Request meeting with Maintenance and Operations to discuss deficiencies 2. Replace or problem solve a solution for our current problems.	b. Resources Required 1. Funding 2. Budget unknown	c. Personnel Assignments 1. Principal 2. Maintenance and Operations	f. Evaluation criteria 1. Completion of work d. Timeframe for completion 1. December 1, 2024 2. March 1, 2025 and additional dates if needed
IV. Desired Change #3 Upgraded/Additional security cameras for visual assistance in emergencies and for normal safety	a. Related Strategies and Activities 1. Request meeting with Maintenance and Operations to discuss deficiencies 2. Increase security camera coverage for safety of students and staff	b. Resources Required 1. Funding 2. Budget unknown	c. Personnel Assignments 1. Principal 2. Maintenance and operations	f. Evaluation criteria 1. Completion of work d. Timeframe for completion 1. December 1, 2024 2. June 1, 2025 and additional dates if needed
V. Desired Change #4 Repaint reunification numbers and exterior lines near doors for safety in an emergency	a. Related Strategies and Activities 1. Request meeting with Maintenance and Operations to discuss deficiencies 2. Increase security camera coverage for safety of students and staff	b. Resources Required 1. Funding 2. Budget unknown	c. Personnel Assignments 1. Principal 2. Maintenance and operations	f. Evaluation criteria 1. Completion of work d. Timeframe for completion 1. December 1, 2024 2. March 1, 2025 and additional dates if needed

Component:

Element:

Opportunity for Improvement:

Objectives	Action Steps	Resources	Lead Person	Evaluation

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

Cram Elementary School Student Conduct Code

PBIS/NEU

Conduct Code Procedures

Cram Elementary participates in Positive Behavioral Interventions and Supports (PBIS), which is a way for schools to encourage and teach good behavior. PBIS is an approach that schools can use to improve school safety and promote positive behavior. It's also a way for schools to decide how to respond to a child who misbehaves. Our goal is to set high expectations for positive behavior and utilize social skills lessons to support students. In addition, School-Wide Expectations are provided in all areas throughout campus. The goal of PBIS and NEU is to provide a safe and caring environment focused on college and career readiness. NEU provides additional lessons in characteristics that students will need in their future endeavors. More detailed expectations can be found in Cram's Parent and Student Handbook

(K) Hate Crime Reporting Procedures and Policies

Policy 5145.3: Nondiscrimination/Harassment

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

(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 constituting unlawful discrimination or harassment 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 one of the categories listed above. Unlawful discrimination also occurs when prohibited conduct is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects a student's educational opportunities.

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

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

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

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

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

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

Students who engage in unlawful discrimination, including discriminatory harassment, intimidation, bullying, or retaliation, 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. School personnel shall take immediate steps to intervene, when safe to do so, whenever site personnel witness an act of discrimination, harassment, intimidation, or bullying. Any employee who permits or engages in prohibited discrimination, including discriminatory harassment, intimidation, bullying, or retaliation, shall be subject to disciplinary action, up to and including dismissal.

(cf. 4118 - 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)

(J) Procedures to Prepare for Active Shooters

Cram Elementary utilizes a Safe & Secure Mode is a security procedure used to reduce student and staff movement outside school buildings. This may be due to a medical emergency, area disturbance, active shooter etc. It is designed to allow for school to carry forward but have the ability to move to Lockdown quickly if needed. During the Safe & Secure mode, there is heightened vigilance on campus by all school staff. Generally, recesses and outdoor activities are reduced. Parents/guardians can have access to their

student(s) and may check them out of school if they see fit to do so.

- o Teachers should continue teaching as normal
- o Allow students restroom use with clear administrator/ teacher direction
- o Increased available staff presence during passing periods and student dismissal
- o Lunch/activities in more secure area, unless site admin decides otherwise
- o Standard inclement weather schedule/routine in place, unless site administrator/designee decides otherwise
- o Perimeter gates, where applicable, will be locked and monitored by available staff, allowing for central access points
- o PE classes will be moved off all fields into more secure locations (e.g., gym, class, & MPR)

Lock Down is called when a law enforcement event is happening in the vicinity of a school. The law enforcement agency generally, but not always, contacts the school/district to encourage the school site to Lock Down as a precautionary measure. All Administrators are expected to place their school in Lock Down in this scenario.

- o Take a look outside your classroom and gather up any stray students in the hallways
- o Ensure that your door is locked
- o If windows are open, close them
- o Project a calm demeanor to help students remain calm. Reassure students that they are safe
- o Do not allow anyone to leave the classroom
- o Frequently check your emails for possible updates from your site administrators
- o If students are out on the playground or athletic fields, quickly move them to a secure classroom, locker room, or multi-purpose room

Critical Alert is called when a significant, threatening event is happening on campus or adjacent to campus that creates a potential danger to students and staff. While this may be communicated to the school by law enforcement, it may also be determined by school officials on the scene. Critical Alert assumes that everyone is prepared for a potential significant threat/event on campus.

- o Implement all items from Lock Down list above
- o Turn off or reduce lighting, so it will appear that the room is vacant
- o Keep all students sitting on the floor, away from the door or windows
- o Do not look out the windows
- o Cover window on the door (if one exists)
- o Advise the students that there is a serious situation, but you don't know what it is. Project a calm demeanor to help students remain calm. Reassure students that they are safe
- o Ensure that everyone in the room turns the ringer off on their cell phones
- o Do not allow students to talk on their cell phones (keep room as quiet as possible)
- o Do not call the office. They are in the midst of a problem and will not be able to answer all the calls which may tie up the phone system
- o Quietly take roll and make a list of missing students and any extra students that are in your room. Email this list to your administrators and school site secretaries
- o Do not evacuate students until you are told to, even if the fire bells go off. If, in fact, there is a need for a fire evacuation, you will be notified via the PA system, email, or phone call
- o Do not open the door, even if someone knocks and claims to be a staff member (Administrator/custodian will have a master key)
- o If students are out on the PE field, do not return them to the locker room. Move them to a safe place (the farthest part of the campus)

Procedures for Preventing Acts of Bullying and Cyber-bullying

RUSD Board Regulation 5144.1(17)

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))

Safety Plan Review, Evaluation and Amendment Procedures

A Safety Committee is created each school year. The purpose of the committee is to review the Safety Plan and procedures on a continual basis. The committee meets a minimum of three times per year and is made up of school staff and parent/community members. The Safety Committee recommendations are brought to the attention of the staff and presented to School Site Council for approval.

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)
Safety Team Input	October 3, 20023 at 11:30am	Via email
Cram Staff Input	October 4, 2023 at 2:30pm	Staff Meeting
School Site Council Input and Approval	October 5, 2023 at 2:30pm	Via zoom meeting

Emergency Response Guidelines

Step One: Identify the Type of Emergency

Determining the type of emergency will assist the commander/administrator in making the appropriate decisions to keep the campus safe. The response to a fire is drastically different than responding to an active shooter. The type of emergency may lead to evacuation, shelter-in-place, or lockdown as well as which agency to contact.

Step Two: Identify the Level of Emergency

Determining the size and immediacy of the emergency will determine the level. The site leader will determine if it is a classroom only, building only, area only (i.e. playground), whole school, neighborhood, or city-wide emergency.

Step Three: Determine the Immediate Response Action

With safety of students, staff and visitors at the forefront, site administrators/commander will determine immediate response based on site protocols. Please reference sections about specific emergencies.

Step Four: Communicate the Appropriate Response Action

Administrators/Commander will communicate to the necessary emergency responders via phone. Administrators/Commander will utilize a variety of communication tools to notify staff and emergency participants such as: Bell system, phone intercom system, emails. In addition, the Administrator/Commander will communicate with the District Office via emergency radio. Lastly, a community communication plan will be created to notify families of incident, pick-up procedures, or next steps through one or several methods: Parent Square, postings on website and all social media accounts.

Types of Emergencies & Specific Procedures

Earthquake

At the first sign of an earthquake, staff will give a verbal command, "Drop, cover, and hold."

1. Classes Inside:

Stay inside. Get under a desk or table facing away from windows. ALL personnel must assume "drop, cover, and hold" position. Adult safety is important for the guidance and safety of the children.

Duck – Take cover under a nearby desk or table, positioning as much of the body as possible under cover.

Cover eyes and head by leaning the face and head against your arm.

Hold on to the table legs or side of the desk. Remain in the position until the ground stops shaking, objects stop falling, or the teacher indicates that this phase of the drill has ended.

2. If there is no table or desk nearby, but there are chairs (such as an auditorium-style chair):

Duck, cover, and hold: take cover under the chairs, if possible, and/or between the rows of chairs, by dropping to the floor, holding on, and protecting eyes with arms.

3. If there are no tables or chairs nearby (or not enough)

Duck, cover, and hold: take cover by dropping to the floor, against an interior wall, if possible. The "drop" position is preferred: on the floor, on knees, leaning over to rest on elbows, hands clasped behind the neck, face down for protection.

4. You must stay in the duck-cover-hold position for a minimum of 5 minutes. If this is a drill it is a 2-minute hold.

5. Classes Outside:

Stay outside.

Get in an open area, away from the building, trees, power lines, etc.

Assume a "drop, cover, and hold" position.

6. Next, proceed to the Evacuation Plan.

Fire in Surrounding Area

Fire in Surrounding Area INITIAL RESPONSE: 1. If necessary, sound the school alarm and evacuate building. 2. Notify the fire department by dialing 911. 3. Assemble at the pre-designated areas at safe distance from the fire/fire-fighting equipment. 4. Assist disabled persons during the evacuation. 5. Render first aid as necessary. 6. Check all bathrooms and training rooms for staff and students. 7. If it is possible for adults to fight small fires (no bigger than a desk) without endangering life and/or causing injury, do so. 8. Close, but do not lock all doors leading to the fire area to isolate the area and prevent the spread of the fire. 9. Keep access roads open for emergency vehicles. 10. Teachers should take roll and report missing students to the office. No one should leave the area until instructed to do so. 11. Notify the Superintendent. 12. The principal will recommend to the Superintendent whether further action such as the EVACUATION OF SCHOOL should be implemented. 13. Notify utility companies of a break or suspected break in their lines. 14. After a serious fire, fire department officials and maintenance personnel should determine whether the building is safe before student and staff return.

Fire on School Grounds

Fire on School Grounds INITIAL RESPONSE: 1. Sound the school alarm and evacuate building. 2. Notify the fire department by dialing 911. 3. Assemble at the pre-designated areas at safe distance from the fire/fire-fighting equipment. 4. Assist disabled during the evacuation. 5. Render first aid as necessary. 6. Check all bathrooms and training rooms for staff and students. 7. If it is possible for adults to fight small fires (no bigger than a desk) without endangering life and/or causing injury, do so. 8. Close, but do not lock all doors leading to the fire area to isolate the area and prevent the spread of the fire. 9. Keep access roads open for emergency vehicles. 10. Teachers should take roll and report missing students to the office. No one should leave the area until instructed to do so. 11. Notify the Superintendent. 12. The principal will recommend to the superintendent whether further action such as the EVACUATION OF SCHOOL should be implemented. 13. Notify utility companies of a break or suspected break in their lines. 14. After a serious fire, fire department officials and maintenance personnel should determine whether the building is safe before student and staff return.

Pandemic

Policy 5141.22: Infectious Diseases

The Governing Board desires to protect students from risks posed by exposure to infectious diseases while providing an appropriate education for all students.

The Superintendent or designee shall determine whether to admit a student with an infectious disease, and shall exclude students only in accordance with law. In making this determination, he/she shall consult the student's parents/guardians, the student's physician and/or the county health department, in accordance with law and consistent with confidentiality provisions. Because bloodborne pathogens such as hepatitis B virus, hepatitis C virus and human immunodeficiency virus (HIV) are not casually transmitted, the sole presence of bloodborne pathogens is not sufficient reason to exclude students from attending school.

cf. 5112.2 - Exclusions from Attendance)
(cf. 5141.26 - Tuberculosis Testing)
(cf. 5141.3 - Health Examinations)
(cf. 6158 - Independent Study)
(cf. 6159 - Individualized Education Program)
(cf. 6183 - Home/Hospital Instruction)

Parents/guardians are encouraged to inform the Superintendent or designee if their child has an infectious disease so that school staff may work cooperatively with the student's parents/guardians to minimize the child's exposure to other diseases in the school setting. The Superintendent or designee shall ensure that student confidentiality rights are strictly observed in accordance with law. No district employee shall release medical information, including knowledge of a bloodborne pathogen infection, without written consent from the parent/guardian or adult student. Such information shall be shared only with those persons specifically named in the written permission.

(cf. 5125 - Student Records)
(cf. 5022 - Student and Family Privacy Rights)

The Board requires students and staff to routinely observe universal precautions to prevent exposure to bloodborne pathogens and to prevent the spread of all infectious disease.

cf. 4119.42/4219.42/4319.42 -Exposure Control Plan for Bloodborne Pathogens)
(cf. 4119.43/4219.43/4319.43 - Universal Precautions)
(cf. 5141.23 - Infectious Disease Prevention)

The Superintendent or designee shall ensure that the district's health education program provides information about the nature of bloodborne pathogens and their transmission.

(cf. 5141.6 - Student Health and Social Services)
(cf. 6142.2 - Sexual Health and HIV/AIDS Prevention Instruction)
(cf. 6142.8 - Comprehensive Health Education)

Blood Borne Pathogen Incident Reporting Form and Exposure Control Plan

Policy 5141.22: Infectious Diseases

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(cf. 5141.6 - Student Health and Social Services)
(cf. 6142.2 - Sexual Health and HIV/AIDS Prevention Instruction)
(cf. 6142.8 - Comprehensive Health Education)

Blood Borne Pathogens - Safety Practices

Procedures and Regulations

1. General

1.1 While recognizing that both students and employees diagnosed with an infectious blood borne disease are entitled to a confidential relationship between themselves, the medical community and/or other agencies, the Board of School Trustees encourages these individuals to meet with the School Principal and/or Superintendent of Schools to discuss their disease and immediate and future needs.

1.2 Assessment

2. Students:

2.1. The Superintendent (or designate) will be informed, by the school principal as soon as is known, of any student infected with an infectious blood borne disease.

2.2. A Risk Assessment will be conducted using a team approach including the personal physician, public health personnel, the parent or guardian, and school district personnel as appropriate and will make recommendations about the type of educational and care setting based on the following:

- a. Behavior, neurological development and physical condition of the child;
- b. Type of interaction expected with others.
- c. What the potential is for exposure
- d. Areas for potential for exposure
- e. How exposure may happen
- f. Who needs to know?
- g. What will happen if there is a risk of exposure?

2.3. The team will consider the risk to others in the workplace, whether or not the individual is healthy enough to continue to attend school, and what precautions should be taken to ensure the safety and health of others.

- a. The identity of infected students will remain confidential and restricted to those who need to know or are required to be informed.

2.4. Decisions on attendance at school are dependent on the circumstances of each individual case. Regular evaluation of the appropriateness of attendance will be conducted.

2.5. The Board will be notified immediately when the team considers the health condition of a student to be a danger to the immediate health and welfare of a school, its students or employees of the Board.

- a. Upon being notified of the team's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

3. Employees

3.1. The Superintendent will be informed, by district staff as soon as is known, of any employee infected with an infectious blood borne disease.

3.2. Employees with an infectious blood borne disease, who are able to carry out the essential duties of their jobs in a satisfactory manner without posing a health or safety risk to themselves or others, will be entitled to continue their work.

3.3. Decisions regarding potential health or safety hazards will be made on a case-by-case basis in consultation with the employee, the personal physician and district personnel as appropriate.

3.4. The identity of infected employees will remain confidential and restricted to those who need to know or are required to be informed.

- 3.5. The Board will be notified immediately if the Superintendent considers the health condition of an employee to be a danger to the immediate health and welfare of a school, its students or other employees of the Board.
- a. Upon being notified of the Superintendent's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

4. Hygienic Safety Practices

- 4.1. All employees will follow "Universal Infection Control Precautions" by assuming that blood and other body fluids from all individuals are potentially infectious. These precautions include:
- a. Routinely using gloves when anticipating contact with blood
 - b. Immediately washing hands and other skin surfaces after removal of gloves and/or contact with blood
- 4.2. Schools will be provided with appropriate protective equipment including disposable waterproof gloves (natural rubber latex, neoprene, nitrile, or vinyl), tongs or pliers and proper sharps containers.
- 4.3. Schools' medical room mattresses will be either vinyl-coated beds or cloth mattress with a protective vinyl (plastic) covering so that they can be cleaned as needed with a bleach solution.
- 4.4. Blankets can be cleaned as needed by forwarding them, in a clearly labeled plastic bag, to the Assistant Supervisor Operations at the Facilities Office.

5. Universal Precautions

- 5.1. Universal Precautions to prevent transmission of blood-borne disease will be followed. *Universal Precautions* is the term for infection control measures endorsed by the Canadian Centre for Occupational Health and Safety for workers who might come into contact with blood and other body fluids. In summary they include:
- a. Wash hands for 30 seconds after contact with blood and other body fluids contaminated with blood.
 - b. Wear disposable latex gloves when you encounter blood, body fluids, or when cleaning cuts, scrapes or wounds. Wash your hands as soon as you remove your gloves. Dispose gloves in a plastic bag.
 - c. Use disposable absorbent material like paper towels to stop bleeding.
 - d. Discard bloodstained material in a sealed plastic bag and deposit in the garbage. Label as containing blood-tainted material.
 - e. Cover cuts or scrapes with a bandage until healed.
 - f. Immediately protect staff and students from coming in contact with blood-soiled surfaces. The area must be disinfected with a fresh solution of one part bleach and nine-parts water (10% bleach solution).

Mops or brushes used for cleaning should be soaked in a bleach solution for 20 minutes.

(Note: The custodial department will provide each school with the product for dissolving in water to provide the bleach solution.)

6. Identification of Risks of Occupational Exposure

- 6.1. In accordance with the Occupational Health and Safety Regulations (section 6.35), the district's Health & Safety Coordinator will develop and maintain a list of positions and/or tasks and procedures where there is a potential for occupational exposure to a blood borne pathogen.
- 6.2. Employees who have, or may have, occupational exposure to the hepatitis B virus, will upon request, receive a hepatitis B vaccination (section 6.39, OH&S Regs).
- 6.3. Employees who may have been exposed to a blood borne pathogen in an exposure incident will be advised to immediately seek medical attention

Comprehensive School Safety Plan

**2024-2025
School Year**

School: Franklin Elementary School
CDS Code: 36-67843-6036503
District: Redlands Unified School District
Address: 850 East Colton Avenue
Redlands, CA 92374
Date of Adoption: October 24, 2023
Date of Update: September 23, 2024
Date of Review:
- with Staff
- with Law Enforcement
- with Fire Authority

Approved by:

Name	Title	Signature	Date



FRANKLIN ELEMENTARY SCHOOL

SCHOOL SAFETY COMMITTEE

9/23/2024 @ 2:00PM



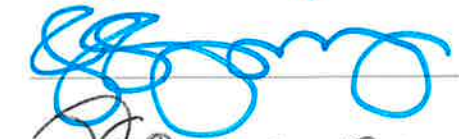

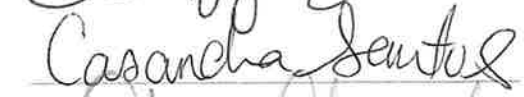
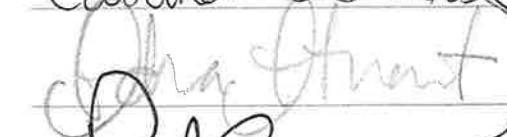


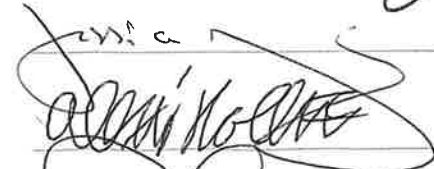


Name	Position	Signature
Gayle Dockham	Assistant Principal	
Rick Nowak	Teacher	
June Stampley	Teacher	
Heather Longyear	Teacher/Parent	
Cas Santos	School Counselor	
Sandra Stuart	Parent	
Robert "Jordan" Gonzales	Lead Custodian	
Becky Galvez	Teacher	
Jessica de la Tejera	Teacher	
Alexis Hollinrake	Teacher	
Robert J. Gonzales	Custodian	

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Comprehensive School Safety Plan Purpose

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

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

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

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

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

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

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

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

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

Safety Plan Vision

Franklin Elementary School will provide a safe, orderly, and secure environment conducive to learning.

Franklin Elementary School will create a school in which pupils will attend regularly and be safe from both physical and social-psychological harm.

Franklin Elementary School will work collaboratively with the district office and school board to identify, establish and use strategies and programs to comply with school safety laws.

Franklin Elementary School will develop a plan to work cooperatively and collaboratively with parents, pupils, teachers, administrators, counselors and community agencies, including law enforcement, to provide a safe and orderly school and neighborhood.

Franklin Elementary School will develop an academic program that will focus on high expectations of pupil performance and behavior in all aspects of the school experience.

Franklin Elementary School will work collaboratively with other elementary, middle schools and high schools to assist in a smooth transition from one school level to another.

Franklin Elementary School will solicit the participation, views, and advice of teachers, parents, school administrators, and community members and use this information to promote the safety of our pupils, staff and community.

Components of the Comprehensive School Safety Plan (EC 32281)

Franklin Elementary School Safety Committee

Assessment of School Safety

School crime is monitored internally via documentation and queries in Aeries. The P.B.I.S. team has developed a data collection process via Google Forms and Google sheets to strategically address specific safety issues on campus.

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

Introduction - School Profile

Franklin Elementary School is one of twenty-six schools in the Redlands Unified School District with traditions dating back to 1903. Franklin Elementary School has a diverse pupil student body and is served by a dedicated staff. Both staff and parents comment on the positive changes that are ongoing in our school.

Franklin Elementary School faces challenges in maintaining a safe school. This section of the Comprehensive School Safety Plan will describe programs in place at our school as well as strategies and programs of our school site council for continued improvement in providing a safe, orderly, school environment conducive to learning.

School Crime Status and Reporting

School crime is monitored internally via documentation and queries in Aeries. The school is a Platinum P.B.I.S. (Positive Behavior Interventions and Support) school. As such, the school utilizes data from the P.B.I.S platform, SWIS, in order to strategically address specific safety issues on campus.

Personal Characteristics of Pupil & Staff

(Additional Health and Welfare Data available from ICOE aggregated DAT surveys)

Franklin Elementary School has an enrollment of 635 pupils in TK-5 plus the school has one district RSEED preschool class. As of 2022-23, Franklin's pupils come from families with a 85.9% Stability Rate. Approximately 85% of the pupils are Socioeconomically Disadvantaged. English Learners comprise 13.1% of the school's population. The following percentage of students receive special education services: 5% - Speech Only and 7% - Specialized Academic Instruction. Under the California Universal Meals Program (AB 130), all RUSD students are eligible to receive one healthy breakfast and one healthy lunch at no cost each school day.

The ethnic makeup of the pupil population is 74.5 % Hispanic, 8.4 % Black, 7.6 % Caucasian and 10.5% other. Our pupils have a variety of life experiences. Some pupils have recently arrived from foreign countries while others have never left their neighborhood.

Curriculum and Educational Activities

The course of study includes the basic core curriculum, physical education and enrichment classes such as Art, Music and Physical Education.

Pupils have the opportunity to participate in noon and after-school activities. These include recess and after school programs such as lunch league, ASES, PTA sponsored activities and the Exploration Experience (ELO-P).

Staff provides opportunities and additional activities open to pupils in the areas of reading, math, and GATE.

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

Policy 5141.4: Child Abuse Prevention And Reporting

Last Approved Date: 10/11/2022

The Governing Board 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.

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.

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)

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.

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.

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

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

Last Approved Date: 10/11/2022

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. 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
3. Sexual abuse of a child, including sexual assault or sexual exploitation, as defined in Penal Code 11165.1
4. Neglect of a child as defined in Penal Code 11165.2
5. Unlawful corporal punishment or injury as defined in Penal Code 11165.4

Child abuse or neglect does not include:

1. A mutual affray between minors (Penal Code 11165.6)
2. An injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of employment (Penal Code 11165.5, 11165.6)
3. An injury resulting from the exercise by a teacher, vice principal, principal, or other certificated employee of the same degree of physical control over a student that a parent/guardian would be legally privileged to exercise, not exceeding the amount of physical control reasonably necessary to maintain order, protect property, protect the health and safety of students, or maintain proper and appropriate conditions conducive to learning (Education Code 44807)
4. An injury caused by a school employee's use of force that is reasonable and necessary to quell a disturbance threatening physical injury to persons or damage to property, for purposes of self-defense, or to obtain weapons or other dangerous objects within the control of a student (Education Code 49001)
5. Physical pain or discomfort caused by athletic competition or other such recreational activity voluntarily engaged in by a student (Education Code 49001)
6. Homelessness or classification as an unaccompanied minor (Penal Code 11165.15)

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

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

Reportable Offenses

A mandated reporter shall make a report using the procedures provided below whenever, 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 and Liability

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 made and signed by that person. Any person who knows that the person designated to report failed to make the report shall thereafter make the report. (Penal Code 11166)

The duty to report child abuse is an individual duty and no supervisor or administrator may impede or inhibit a mandated reporter from making a report. (Penal Code 11166)

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

Reporting Procedures

1. Initial Telephone Report

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

Such reports shall be made to the following agency:

Redlands Police Department: (909) 798-7681
or
CPS 24-Hr Hotline: (800) 827-8724

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 name(s), address(es), and telephone number(s) of the child's parent(s)/guardian(s)
- 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 site administrator or designee as soon as possible after the initial verbal report by telephone. When so notified, the site administrator shall inform the Superintendent or designee.

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

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

Training

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

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

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

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

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

Victim Interviews by Social Services

Whenever CDSS or another government agency is investigating suspected child abuse or neglect that occurred within the child's home or out-of-home care facility, the student may be interviewed by an agency representative during school hours, on school premises. The student shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the 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 student and enable him/her to be as comfortable as possible.
2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the student.
4. The selected person is subject to the confidentiality requirements of the Child Abuse and Neglect Reporting Act, a violation of which is punishable as specified in Penal Code 11167.5.

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

Release of Child to Peace Officer

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

Parent/Guardian Complaints

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

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

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

Notifications

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

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

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

The Superintendent or designee also shall notify all employees that:

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)

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 imprisonment or a fine. (Penal Code 11166) No employee shall be subject to any sanction by the district for making a report unless it can be shown that the employee knowingly made a false report or made a report with reckless disregard of the truth or falsity of the report. (Penal Code 11166, 11172)

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

Disaster Plan (See Appendix C-F)

Each classroom, office, library and room on campus has a posting of the emergency procedures near the exit door. Emergency procedures are also posted in each classroom notebook which is reviewed at the beginning of the school year for updates. Fire Drills are practiced each month of the school year. Earthquake drills are practiced four times a year and Lock Down drills are practiced yearly.

Public Agency Use of School Buildings for Emergency Shelters

(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines

Policy 5144.1: Suspension And Expulsion/Due Process

Last Approved Date: 10/11/2022

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

(cf. 5131 - Conduct)

(cf. 5131.1 - Bus Conduct)

(cf. 5131.2 - Bullying)

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

Except when otherwise permitted by law, a student may be suspended or expelled only when 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

(cf. 5112.5 - Open/Closed Campus)

4. During, going to, or coming from a school-sponsored activity

District staff shall enforce the rules concerning suspension and expulsion of students fairly, consistently, equally, and in accordance with the district's nondiscrimination policies.

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

Appropriate Use of Suspension Authority

Except when a student's act violates Education Code 48900(a)-(e), as listed in items #1-5 under "Grounds for Suspension and Expulsion: Grades K-12" of the accompanying administrative regulation, or when the student's presence causes a danger to others, suspension shall be imposed only when other means of correction have failed to bring about proper conduct. (Education Code 48900.5 48900.6)

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5144 - Discipline)

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

(cf. 6164.2 - Guidance/Counseling Services)

(cf. 6164.5 - Student Success Teams)

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

No student in grades K-8 may be suspended for disruption or willful defiance, except by a teacher pursuant to Education Code 48910. (Education Code 48900)

Students shall not be suspended or expelled for truancy, tardiness, or absenteeism.

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Chronic Absence and Truancy)

Authority to Expel

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

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

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

(cf. 5131.7 - Weapons and Dangerous Instruments)

2. Selling or otherwise furnishing a firearm

3. Brandishing a knife at another person

4. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058

5. Committing or attempting to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committing a sexual battery as defined in Penal Code 243.4

6. Possessing an explosive as defined in 18 USC 921

For all other violations listed in the accompanying administrative regulation, the Superintendent or principal shall have the discretion to recommend expulsion of a student. If expulsion is recommended, the Board shall order the student expelled only if it makes a finding of either or both of the following: (Education Code 48915(b) and (e))

1. That other means of correction are not feasible or have repeatedly failed to bring about proper conduct

2. That due to the nature of the violation, the presence of the student causes a continuing danger to the physical safety of the student or others

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

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

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

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

(cf. 5148.3 - Preschool/Early Childhood Education)

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 Codes 48911, 48915, 48915.5, and 48918)

(cf. 5119 - Students Expelled from Other Districts)

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

Maintenance and Monitoring of Outcome Data

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

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

(cf. 0460 - Local Control and Accountability Plan)

Regulation 5144.1: Suspension And Expulsion/Due Process

Last Approved Date: 10/11/2022

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

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

Referral to a certificated employee designated by the principal to advise students

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

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

Notice of Regulations

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

(cf. 5144 -Discipline)

(cf. 5145.6 Parental Notifications)

Grounds for Suspension and Expulsion: Grades K-12

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

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

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

(cf. 5 131 - Conduct)
(cf. 5131. 7 - Weapons and Dangerous Instruments)
3. Unlawfully possessed, used, sold, otherwise furnished, or was under the influence of, any controlled substance as defined in the Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind. (Education Code 48900(c))

(cf. 3513.4 - Drug and Alcohol Free Schools)
(cf. 5131.6 -Alcohol and Other Drugs)
4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance or material and represented same as such controlled substance, alcohol beverage or intoxicant. (Education Code 48900(d))
5. Committed or attempted to commit robbery or extortion. (Education Code 48900(e))
6. Caused or attempted to cause damage to school property or private property. (Education Code 48900(f))
7. Stole or attempted to steal school property or private property. (Education Code 48900(g))
8. Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel, except that this restriction shall not prohibit a student from using or possessing prescription products. (Education Code 48900(h))

(cf. 5131.62 - Tobacco)
9. Committed an obscene act or engaged in habitual profanity or vulgarity. (Education Code 48900(i))
10. Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code. (Education Code 48900(j))
11. Knowingly received stolen school property or private property. (Education Code 48900(1))
12. Possessed an imitation firearm, i.e., a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm. (Education Code 48900(m))
13. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code 243.4. (Education Code 48900(n))
14. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness. (Education Code 48900(Oo))
15. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma. (Education Code 48900(p))
16. Engaged in, or attempted to engage in, hazing (Education Code 48900(q))

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

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

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

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

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

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

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

b. A post on a social network Internet 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))

(cf. 1114 - District-Sponsored Social Media)

(cf. 5131.2 - Bullying)

(cf. 6163.4 - Student Use of Technology)

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

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

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

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

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

Additional Grounds for Suspension and Expulsion: Grades 4-12

A student in grades 4 through 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)

(cf. 5145.7 -Sexual Harassment)

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

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

(cf. 5145.9 - Hate-Motivated Behavior)

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

(cf. 5145.3 -Nondiscrimination/Harassment)

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))

(cf. 5131.4 - Student Disturbances)

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 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)

(cf. 5125 - Student Records)

Length of Suspension

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

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

(cf. 6184 - Continuation Education)

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

Due Process Procedures for Suspension

Suspensions shall be imposed in accordance with the following procedures:

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the principal, Superintendent 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(b))

This conference may be omitted if the principal, designee or the Superintendent or designee determines that an emergency situation exists. An "emergency situation" involves 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. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such 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 also state the date and time when the student may return to school.

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

Should 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)

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

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)

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

(cf. 6173.1 - Education for Foster Youth)

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

(cf. 6173 - Education for Homeless Children)

In lieu of or in addition to suspending a student, the Superintendent, principal, or designee may provide services or require the student to participate in an alternative disciplinary program designed to correct 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 may hold a closed session if a public hearing would lead to disclosure of information which would violate a student's right to privacy under Education Code 49073-49079. (Education Code 35146, 48912)

(cf. 9321 Closed Session)

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 Codes 35146, 48912)

Superintendent or Principal's Authority to Recommend Expulsion

Unless the principal or Superintendent 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 principal or Superintendent 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 impracticable 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 Expulsions

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 48915.5)

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 his/her right to: (Education Code 48915.5)

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

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48915.5)

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 ten (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 parent/guardian's obligation pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment.

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

(cf. 5119 -Students Expelled from Other Districts)

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

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

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

6. The right to inspect and obtain copies of all documents to be used at the hearing.

7. The opportunity to confront and question all witnesses who testify at the hearing.

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

Additional Notice of Expulsion Hearing for Foster Youth and Homeless Students

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

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

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

Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding Education Code 35145, the Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such 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 if the student should be expelled. If the Board admits any other person to the closed session, the parent/guardian, the student, and the counsel of the student shall also be allowed to attend the closed session. (Education Code 48918(c))

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

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

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

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

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

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

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

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

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

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

(1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.

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

(3) The person conducting the hearing may:

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

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

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

6. Decision: The Board's decision on 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. Alternatively, the Board may 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(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified in "Conduct of Expulsion Hearing" above, 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 at a public meeting. (Education Code 48918(j))

The Board's decision is final. If the decision is not to 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 an act listed under "Mandatory Recommendation and Mandatory Expulsion" 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. The 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 his/her parent/guardian. (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Board of Education. (Education Code 48918)
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion. (Education Code 48918)
5. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1. (Education Code 48918)

Decision to Suspend Expulsion Order

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

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

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

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

Appeal

The student or parent/guardian is entitled to file an appeal of the Board's decision with the County Board of Education. 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)

Notifications 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 also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance, 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 district or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering or sale of controlled substances, alcohol, or intoxicants of any kind. (Education Code 48902)

Placement During Expulsion

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

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

(cf. 6158 - Independent Study)

(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for only acts described in items #6 through #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 request for recommendation regarding readmission. The Board shall consider this recommendation in closed session. If a written request for open session is received from the parent/guardian or adult student, it shall be honored to the extent that privacy rights of other students are not violated.
3. If the readmission is granted, the Superintendent or designee shall notify the student and parent/guardian, by registered mail, of the Board's decision regarding readmission.
4. The Board may deny readmission only if it finds that the student has not satisfied the conditions of the rehabilitation plan or that the student continues to pose a danger to campus safety or to other district students or employees. (Education Code 48916)
5. If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school.
6. The Board shall provide written notice to the expelled student and parent/guardian describing the reasons for denying readmittance into the regular program. This notice shall indicate the Board's determination of the educational program which the Board has chosen. The student shall enroll in that program unless the parent/guardian chooses to enroll the student in another school district. (Education Code 48916)

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

Maintenance of Records

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

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

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

(cf. 5119 - Students Expelled from Other Districts)

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

A school administrator meets with the teacher in person about the dangerous student. Teachers called to this meeting are given a letter notifying them they have the right to view the suspension/expulsion/probation information in the cumulative file. They are to sign the letter acknowledging they have been notified.

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

Policy 4119.11: Sex Discrimination and Sex-Based Harassment

The Governing Board is committed to providing a safe work environment that is free of harassment and intimidation. The Board prohibits sexual harassment against district employees by anyone, in any manner, and prohibits retaliatory action or behavior against any persons who complains, testifies, or otherwise participates in the complaint process established pursuant to this policy and accompanying administrative regulation. This policy shall apply to all district employees, interns, volunteers, contractors, job applicants, and other persons with an employment relationship with the district.

(cf. 0410 - Nondiscrimination in District Programs and Activities) (cf. 4030 - Nondiscrimination in Employment)

Sexual harassment includes, but is not limited to, harassment that is based on the sex, gender, gender identity, gender expression, or sexual orientation of the victim and harassment based on pregnancy, childbirth, or related medical conditions.

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation, and correction of sexual harassment, including but not limited to:

1. Providing training to all staff in accordance with law and administrative regulation.
2. Publicizing and disseminating the district's sexual harassment policy to staff.
3. Ensuring prompt, thorough, equitable, and fair investigation of complaints
4. Taking timely and appropriate corrective/remedial actions which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments.

The Superintendent or designee shall periodically evaluate the effectiveness of the district's strategies to prevent and address harassment. Such evaluation may involve conducting regular anonymous employee surveys to assess whether harassment is occurring or is perceived to be tolerated, partnering with researchers or other agencies with the needed expertise to evaluate the district's prevention strategies, and using any other effective tool for receiving feedback on systems and/or processes. As necessary, changes shall be made to the harassment policy, complaint procedures, or training.

Sexual Harassment Reports and Complaints

Any district employee who feels that he/she has been sexually harassed in the performance of their district responsibilities or who has knowledge of any incident of sexual harassment by or against another employee shall immediately report the incident to his/her supervisor, the principal, other district administrator, or the district's Title IX Coordinator. However, an employee may bypass his/her supervisor in filing a complaint if the supervisor is the subject of the complaint. A supervisor, principal, or district administrator who receives a harassment complaint shall promptly notify the Title IX Coordinator.

Once notified, the Title IX Coordinator shall ensure the complaint or allegation is addressed through AR 4119.12/4219.12/4319.12 – Title IX Sexual Harassment Complaint Procedures or AR 4030- Nondiscrimination in Employment, as applicable. Because a complaint or allegation that is dismissed or denied under the Title IX complaint procedure may still be subject to consideration under state law, the Title IX Coordinator shall ensure that any implementation of AR 4119.12/4219.12/4319.12 concurrently meets the requirements of AR 4030.

Notwithstanding the above, BP/AR 4119.12/4219.12/4319.12 and 4030 shall under no circumstances be used to resolve complaints brought by, on behalf of, or against students. All complaints brought by, on behalf of, or against students that allege “sexual harassment” as that term is defined in the federal regulations implementing Title IX of the Education Amendments of 1972 (see 34 C.F.R. § 106, et seq.) shall be investigated and resolved under BP/AR 5145.71. All complaints brought by, on behalf of, or against students that do not meet the definition of “sexual harassment” as set forth in the Title IX implementing regulations shall be investigated and resolved under BP/AR 1312.3.

(cf. 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaints)

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

Upon investigation of a sexual harassment complaint, any district employee who engages, or participates in sexual harassment, or who aids, abets, incites, compels, or coerces another to commit sexual harassment in violation of this policy is subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Reports) (cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4218 -

Regulation 4119.12: Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures

The complaint procedures described in this administrative regulation shall be used to address any complaint governed by Title IX of the Education Amendments of 1972 alleging that a district employee, while in an education program or activity in which a district school exercises substantial control over the context and respondent, was subjected to one or more of the following forms of sexual harassment: (34 CFR 106.30, 106.44)

1. A district employee conditioning the provision of a district aid, benefit, or service on a person's participation in unwelcome sexual conduct
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291 (cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

All other sexual harassment complaints or allegations shall be investigated and resolved in accordance with AR 4030

- Nondiscrimination in Employment. The determination of whether the allegations meet the definition of sexual harassment under Title IX shall be made by the district's Title IX Coordinator.

(cf. 4030 - Nondiscrimination in Employment)

Because the complainant has a right to pursue a complaint under AR 4030 for any allegation that is dismissed or denied under the Title IX complaint procedure, the Title IX Coordinator shall ensure that all requirements and timelines for AR 4030 are concurrently met while implementing the Title IX procedure.

Reporting Allegations/Filing a Formal Complaint

An employee who is the alleged victim of sexual harassment may submit a report of sexual harassment to the district's Title IX Coordinator using the contact information listed in AR 4119.11/4219.11/4319.11 - Sexual Harassment or to the employee's direct supervisor or other district administrator, who shall forward the report to the Title IX Coordinator within one day of receiving the report. Upon receiving such a report, the Title IX Coordinator shall inform the complainant of the right to file a formal complaint and the process for filing a formal complaint.

A formal complaint, with the complainant's physical or digital signature, may be filed with the Title IX Coordinator in person, by mail, by email, or by any other method authorized by the district. (34 CFR 106.30)

Even if the alleged victim chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations when a safety threat exists. In addition, the Title IX Coordinator may file a formal complaint in other situations as permitted under the Title IX regulations, including as part of the district's obligation to not be deliberately indifferent to known allegations of sexual harassment. In such cases, the Title IX Coordinator shall provide the alleged victim notices as required by the Title IX regulations at specific points in the complaint process.

The Title IX Coordinator, investigator, decision-maker, or a facilitator of an informal resolution process shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. Such persons shall receive training in accordance with 34 CFR 106.45. (34 CFR 106.45)

Supportive Measures

Upon receipt of a report of Title IX sexual harassment, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures and shall consider the complainant's wishes with respect to the supportive measures implemented. Supportive measures shall be offered as appropriate, as reasonably available, and without charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures shall be nondisciplinary, nonpunitive, and not unreasonably burden the other party, including measures designed to protect the safety of all parties or the district's educational environment or to deter sexual harassment. Supportive measures may include, but are not limited to, counseling, extensions of deadlines, modifications of work schedules, mutual restrictions on contact, changes in work locations, leaves of absence, increased security, and monitoring of certain areas of the campus. (34 CFR 106.30, 106.44)

The district shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the district's ability to provide the supportive measures. (34 CFR 106.30)

Emergency Removal

If a district employee is the respondent, the employee may be placed on administrative leave during the pendency of the formal complaint process. (34 CFR 106.44)

If the respondent is a student, the district may, on an emergency basis, remove the student from the district's education program or activity, provided that the district conducts an individualized safety and risk analysis, determines that removal is justified due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations, and provides the student with notice and an opportunity to challenge the decision immediately following the removal. This authority to remove a student does not modify a student's rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973. (34 CFR 106.44)

Dismissal of Complaint

The Title IX Coordinator shall dismiss a formal complaint if the alleged conduct would not constitute sexual harassment as defined in

34 CFR 106.30 even if proved. The Title IX Coordinator shall also dismiss any complaint in which the alleged conduct did not occur in the district's education program or activity or did not occur against a person in the United States, and may dismiss a formal complaint if the complainant notifies the district in writing that the complainant would like to withdraw the complaint or any allegations in the complaint, the respondent is no longer employed by the district, or sufficient circumstances prevent the district from gathering evidence sufficient to reach a determination with regard to the complaint. (34 CFR 106.45)

Upon dismissal, the Title IX Coordinator shall promptly send written notice of the dismissal and the reasons for the dismissal simultaneously to the parties and shall inform them of their right to appeal the dismissal of a formal complaint or any allegation in the complaint in accordance with the appeal procedures described in the section "Appeals" below. (34 CFR 106.45)

If a complaint is dismissed, the conduct may still be addressed pursuant to AR 4030 - Nondiscrimination in Employment as applicable.

Informal Resolution Process

When a formal complaint of sexual harassment is filed, the district may offer an informal resolution process, such as mediation, at any time prior to reaching a determination regarding responsibility. The district shall not require a party to participate in the informal resolution process or to waive the right to an investigation and adjudication of a formal complaint. (34 CFR 106.45)

The district may facilitate an informal resolution process provided that the district: (34 CFR 106.45)

1. Provides the parties with written notice disclosing the allegations, the requirements of the informal resolution process, the right to withdraw from the informal process and resume the formal complaint process, and any consequences resulting from participating in the informal resolution process, including that records will be maintained or could be shared.
2. Obtains the parties' voluntary, written consent to the informal resolution process

Written Notice

If a formal complaint is filed, the Title IX Coordinator shall provide the known parties with written notice of the following: (34 CFR 106.45)

1. The district's complaint process, including any informal resolution process
2. The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known. Such notice shall be provided with sufficient time for the parties to prepare a response before any initial interview. If, during the course of the investigation, new Title IX allegations arise about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.
3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process
4. The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an attorney, and the ability to inspect and review evidence
5. The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process

The above notice shall also include the name of the investigator, facilitator of an informal process, and decision-maker and shall inform the parties that, if at any time a party has concerns regarding conflict of interest or bias regarding any of these persons, the party should immediately notify the Title IX Coordinator.

Investigation Procedures

During the investigation process, the district's designated investigator shall: (34 CFR 106.45)

1. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and

exculpatory evidence

2. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence
3. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney
4. Not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding, although the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as the restrictions apply equally to both parties
5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate
6. Send in an electronic format or hard copy to both parties and their advisors, if any, the evidence obtained as part of the investigation that is directly related to the allegations raised in the complaint, and provide the parties at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report
7. Objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and determine credibility in a manner that is not based on a person's status as a complainant, respondent, or witness
8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review and written response

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. (34 CFR 106.45)

Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.

If the complaint is against an employee, rights conferred under an applicable collective bargaining agreement shall be applied to the extent they do not conflict with the Title IX requirements.

Written Decision

The Superintendent shall designate an employee as the decision-maker to determine responsibility for the alleged conduct, who shall not be the Title IX Coordinator or a person involved in the investigation of the matter. (34 CFR 106.45)

After the investigative report has been sent to the parties but before reaching a determination regarding responsibility, the decision-maker shall afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party.

The decision-maker shall issue, and simultaneously provide to both parties, a written decision as to whether the respondent is responsible for the alleged conduct. (34 CFR 106.45)

The written decision shall be issued within 60 calendar days of the receipt of the complaint.

The timeline may be temporarily extended for good cause with written notice to the complainant and respondent of the extension and the reasons for the action. (34 CFR 106.45)

In making this determination, the decision-maker shall use the "preponderance of the evidence" standard for all formal complaints of sexual harassment. (34 CFR 106.45)

The written decision shall include the following: (34 CFR 106.45)

1. Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR 106.30

2. A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the district includes hearings as part of the grievance process
3. Findings of fact supporting the determination
4. Conclusions regarding the application of the district's code of conduct or policies to the facts
5. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's educational program or activity will be provided by the district to the complainant
6. The district's procedures and permissible bases for the complainant and respondent to appeal

Appeals

Either party may appeal the district's decision or dismissal of a formal complaint or any allegation in the complaint, if the party believes that a procedural irregularity affected the outcome, new evidence is available that could affect the outcome, or a conflict of interest or bias by the Title IX Coordinator, investigator(s), or decision-maker(s) affected the outcome. If an appeal is filed, the district shall: (34 CFR 106.45)

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties
2. Ensure that the decision-maker(s) for the appeal is trained in accordance with 34 CFR 106.45 and is not the same decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator
3. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome
4. Issue a written decision describing the result of the appeal and the rationale for the result
5. Provide the written decision simultaneously to both parties

An appeal must be filed in writing within 10 calendar days of receiving the notice of the decision or dismissal, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered.

A written decision shall be provided to the parties within 20 calendar days from the receipt of the appeal.

Either party has the right to file a complaint with the U.S. Department of Education's Office for Civil Rights within 180 days of the date of the most recently alleged misconduct.

The complainant shall be advised of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal antidiscrimination laws, if applicable.

Remedies

When a determination of responsibility for sexual harassment has been made against the respondent, the district shall provide remedies to the complainant. Such remedies may include the same individualized services described above in the section "Supportive Measures," but need not be nondisciplinary or nonpunitive and need not avoid burdening the respondent. (34 CFR 106.45)

Disciplinary Actions

The district shall not impose any disciplinary sanctions or other actions against a respondent, other than supportive measures as described above in the section "Supportive Measures," until the complaint procedure has been completed and a determination of responsibility has been made. (34 CFR 106.44)

When an employee is found to have committed sexual harassment or retaliation, the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Report)

(cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4119.11/4219.11/4319.11 - Sexual Harassment) (cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Record-Keeping

The Superintendent or designee shall maintain, for a period of seven years: (34 CFR 106.45)

1. A record of all reported cases and Title IX investigations of sexual harassment, any determinations of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary sanctions imposed, any remedies provided to the complainant, and any appeal or informal resolution and the results therefrom.
2. A record of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment, including the district's basis for its conclusion that its response was not deliberately indifferent, the measures taken that were designed to restore or preserve equal access to the education program or activity, and, if no supportive measures were provided to the complainant, the reasons that such a response was not unreasonable in light of the known circumstances.
3. All materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process. The district shall make such training materials publicly available on its web site, or if the district does not maintain a web site, available upon request by members of the public.

(cf. 1113 - District and School Web Sites) (cf. 3580 - District Records)

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

Board Policy 5132.16: Student Dress Guidelines

Last Revised Date: 05/12/1998

The Governing Board believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Students' clothing must not present a health or safety hazard or a distraction which would interfere with the educational process.

Students and parents/guardians shall be informed about dress and grooming standards at the beginning of the school year and whenever these standards are revised. A student who violates these standards shall be subject to appropriate 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 dress code may be included as part of the school safety plan and must be presented to the Board for approval. The Board shall approve the plan upon determining that it is necessary to protect the health and safety of the school's students.

Uniforms

The Board recognizes that, in order to promote student safety and discourage peer rivalry and/or gang activity, the principal, staff and parent/guardian at a school site may wish to establish a reasonable dress code, which may include voluntary school uniforms.

Dress codes, which include voluntary school uniforms, may be included as part of the school safety plan submitted as required.

The Superintendent or designee shall establish procedures that schools, parents and guardians will follow if they decide to participate with the voluntary school uniform policy. Students shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardian decide not to participate.

Administrative Regulation 5132.16

Last Revised Date: 1/29/2002

he Governing Board feels that there is nothing inherently wrong with dress or color of dress, but when student's dress serves to intimidate or impede the rights of other students it will be determined that dress is in violation of this policy. A student may not remain at school dressed in a manner which (1) creates a safety hazard for said student or for other students at school, and/or (2) when the dress constitutes a serious and unnecessary distraction to the learning process or tends to disrupt campus order

When the site administrator/designee determines that a student's attire is in violation of this policy, the student will be required to modify his/her clothing and/or apparel in such a manner that it no longer violates this policy. If necessary, the student may be taken or sent home with parental permission to modify unacceptable dress and return to school. Refusal to take steps as described in this policy shall be cause for disciplinary action against the student. Any such disciplinary action shall be handled pursuant to existing student disciplinary policy

Parents/guardians have primary responsibility to see that students are properly attired for school. School district personnel have the responsibility for maintaining proper and appropriate conditions conducive to learning. Hence, the following guidelines will be implemented in all district schools.

1. Shoes will be worn at all times. A substantial sole is required and enclosed toe and heel footwear are highly encouraged.
2. Extremely brief garments that are distracting to the educational environment are not appropriate. Clothing shall be sufficient to conceal undergarments at all times.
3. Clothing or accessories shall be free of writing, pictures or any other insignia which are crude, violent, obscene or sexually suggestive or which advocate racial, ethnic or religious prejudice or the use of tobacco, drugs or alcohol.
4. Earrings, jewelry, or accessories which present a safety hazard to the wearer or others are not suitable for school wear.
5. Only prescription sunglasses may be worn in class. Other types of sunglasses may be worn on campus outside of class.
6. Identified gang attire such as bandannas, haircuts or hair rollers, or any gang paraphernalia are prohibited.

Students are allowed to wear sun protective clothing, including hats, while outdoors during the school day. Each school site will develop a policy indicating the type of sun protective hats that are permitted.

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

The purpose of adopting these Student Dress Guidelines is not to infringe on any individual student's rights to freedom of expression, but rather to encourage students to dress appropriately and come to school properly prepared for participating in the educational process.

Gang-Related Apparel

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed as needed and updated as necessary.

Uniforms

In schools where a majority of parents respond and indicate on a survey that they desire to establish a voluntary school-wide uniform dress code, the principal, staff and the parents/guardians of the individual school site shall:

1. Jointly select the specific uniform to be worn. (Education Code 35183)
2. Describe the uniform parts and identify local vendors who sell those pieces of clothing. A description of the implementation of the voluntary uniform dress code will be submitted to the superintendent's designee including:
 - a. The process for parent notification
 - b. Positive procedures that will be used to encourage students to participate with the voluntary uniform dress code
3. A description of the uniform and a list of costs for each competitively priced item of clothing as provided by a variety of vendors will be sent to parents.

4. Parents will be notified that this is a voluntary uniform dress code and that students not participating shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardians so decide.

Parent Notification

The principal shall give parents/guardian at least six months notice before a school site implements a voluntary school uniform dress code. (Education Code 35183)

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

Arrival and Dismissal Guidelines

1. Students are expected to come directly to school via the safest possible route. All students must leave campus to go directly home once dismissed. On the way to and from school, students are to obey all school and traffic rules and to conduct themselves in a courteous manner. On the way to and from school, students are held accountable to Franklin's Code of Conduct and discipline policy.
2. School grounds are closed until 15 minutes before school starts. This means students should not arrive until 7:30am unless they are participating in the breakfast program.
3. All students are to enter campus via the North gate (on Division Street) or the main gate at the front of the school (off of Stillman Avenue) and are to head directly to the cafeteria for breakfast (between 7:20am-7:30am) or to the playground (between 7:30am-7:40am). Classroom teachers will escort their classes to their room before the starting bell rings. Parents are encouraged to establish a routine of saying good-bye to their students at the gate. This is for security reasons. If you need to enter campus, you must bring photo identification into the office, be entered into the Raptor system and have district approved volunteer status (See Volunteer Process on district website). Preschool, Transitional Kindergarten and Kindergarten students (only) will enter through entry gate 1. First through fifth grade students will enter the main gate or off of Division Street.
4. Franklin's parking lot is designed for bus loading/unloading zones, staff parking, and licensed handicap parking only. Parents are to drop-off and pick-up their students on Stillman Avenue or Division Street. Parents who drive their children to or from school must park on the street and use the marked crosswalks and corners to walk across the street. PLEASE DO NOT CALL YOUR CHILDREN INTO THE TRAFFIC, PARKING LOTS, OR BUS LANES. SPEED LIMITS SHOULD BE FOLLOWED AT ALL TIMES; ESPECIALLY WHEN CHILDREN ARE PRESENT. Help us keep our children safe. We ask that you are courteous to our surrounding neighbors by keeping driveways clear; especially as you wait to pick up your child(ren) after school.
5. Bicycle privileges are extended to Franklin students. Students must observe all traffic and bicycle safety rules. Helmets must be worn at all times. A bicycle will not be released to a student unless they have a helmet at school. Students should not touch or tamper with another student's bicycle. All bicycles should be individually locked.
6. Children will only be permitted to leave the school grounds during school hours after a designated adult has signed them out through the school office with appropriate identification. Children will not be released to anyone who is not listed on the Emergency Card.
7. Any bus rider must ride his/her assigned bus and is not allowed to walk home (or other), unless a written note from the parent/guardian is given to the front office. Changes in routine for any student must be made known to the front office personnel.

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

Component:

Physical Environment

The Schools' Location and Physical Environment

Franklin Elementary School is located in the Redlands area of San Bernardino County that has an average crime rate and a 85% poverty level. The immediate area round the school includes apartments and single family dwellings. Present safety hazards include none.

Description of School Grounds

The school site encompasses 8.9 acres. The grounds are grass, concrete and asphalt and includes basketball and volleyball courts, baseball diamonds and a lined track. There are several wings and/or clusters of classrooms including 29 classrooms 3 re-locatable classrooms. Other ancillary structures include library, Garner Holt Innovation Lab, cafeteria.

During the school day, staff members and administrators shall provide campus supervision. Identified problem areas receive increased supervision to reduce discipline, crime, or other school safety concerns.

It shall be the practice of Franklin Elementary School to remove all graffiti from school property before pupils arrive to begin their school day. Other acts of vandalism are promptly addressed.

Maintenance of School Buildings/Classrooms

The school's physical facility is well maintained and generally looks neat and clean. The school was most recently painted (interior) and renovated during the 2022 year. District personnel periodically examine the school's physical facility and help eliminate obstacles to school safety. Additionally, health and fire department inspectors contribute to school safety.

The exterior of the campus was painted during the 2018/2019 school year. The maintenance issues are identified through daily safety walks as documented in Progress Adviser. Repairs and upgrades are requested through an online work order request system, School Dude, which alerts the district's Maintenance and Operations Department.

Internal Security Procedures

Franklin Elementary School has established procedures in the following areas: California Safe School Assessment (CSSA) reporting procedures, suspension and expulsion procedures, inventory system, and Upon entering the single point of entry (school office) visitors are required to check in and check out via the RAPTOR program. Visitors are required to produce valid government identification processed through the Megan's Law information system via RAPTOR. Visitors are also required to wear a sticker upon entrance of the office and throughout the duration of their stay on campus. When checking out, the badge is turned in.

Volunteers are required to show evidence of a negative TB test, complete an online RAPTOR Volunteer Application and gain School Board approval. The perimeter of the campus is fenced/gated. District-wide lockdown procedures, annual updates to the Comprehensive School Safety Plan as well as Safety Committee meetings occur regularly. It is at these meetings as well as at School Site Council (SSC) where revisions to the plan and discussions regarding ongoing safety concerns on campus are reviewed.

Franklin Elementary School crime statistics reflect a total of 0 crimes reported during the 2023-2024 school year.

Keeping reportable crimes at a minimum requires constant vigilance. The following strategies will be utilized in achieving this goal : (1) maintaining close supervision before and after school, at recess and during lunch, (2) administrators visit classrooms daily and strategically create positive relationships with all students, (3) individual, small group and counseling is provided from two full-time school counselors, (4) implementation of Restorative Practice protocols to build student capacity for emotional growth and positive relationships, (5) the implementation of IEPs, 504 accommodation plans and weekly meetings with administration, (6) special education and school counselors are systems to support the most vulnerable students and proactively provide support for struggling students, (7) Franklin Elementary administration and staff lock gates and classroom doors during the school day, enforce the district boundary policy, post SEE SOMETHING, SENSE SOMETHING, SAY SOMETHING posters in all classrooms and public areas, implement lock down drills, fire and earthquake drills, (8) Franklin has implemented a Hall Pass Policy to ensure that students have a legitimate educational purpose to leave their classroom and head to another location on campus, and (9) Micro trainings on BP 4019.1 will occur throughout the school year on Sexual Abuse Prevention/Grooming.

Franklin Elementary School maintains a copy of the district's sexual harassment policy in the main office/principal's office and the policy is available on request. The District's Sexual Harassment Policy contains dissemination plans, applicable definitions, reporting requirements, investigation procedures, enforcement regulations, and information related to suspension and/or expulsion for sexual harassment of or by pupils. Additionally, a notice summarizing this sexual harassment policy appears in the Parent & Student Handbook, The parent student handbook is distributed at the beginning of each school year to all parents and pupils.

To ensure the safety of pupils and staff, all visitors to the campus, except pupils of the school and staff members, shall register immediately upon entering any school building or grounds when school is in session. District employees, not assigned to Franklin Elementary School shall wear appropriate identification badges while on campus conducting business.

Discipline procedures shall focus on finding the cause of problems and working with all concerned to reach the proper, lawful solutions. The school's discipline plan begins at the classroom level. Teachers shall use a visible classroom management plan to communicate classroom rules, promote positive pupil conduct, and reduce unacceptable conduct. Appropriate consequences are administered based on the seriousness of the pupil's misbehavior.

Pupil conduct standards and consequences for Franklin Elementary School are specifically described in this Comprehensive Schools Safety Plan including: (a) the adopted school discipline rules and procedures, (b) District Disciplinary Guidelines, and (c) the adopted school-wide dress code.

Pupils may be suspended, transferred to another school, or recommended for expulsion or for certain acts. For specific student violations, a mandatory expulsion recommendation shall be submitted by the administration of Franklin Elementary School.

Site administrators contribute to a positive school climate, promote positive pupil behavior, and help reduce inappropriate conduct. The principal/designee uses available district and other appropriate records to inform teachers of each pupil identified under E.C. 49079.

Law enforcement is contacted and consulted to help maintain and to promote a safe and orderly school environment. Franklin Elementary School employees comply with all legal mandates, regulations, and reporting requirements for all instances of suspected child abuse.

If appropriate, additional internal security procedures affecting the integrity of the school facility include: students in the after-school Exploration Experience Program (ELO-P) shall be escorted and supervised by staff when moving between classrooms or going to the office for dismissal due to the shared use of the field with the City of Redlands Parks and Recreation Department.

Community involvement is encouraged to help increase school safety.

Franklin works closely with the Redlands Police Department (RPD), has a School Resource Officer (SRO) and well as parents included on School Site Council (SSC) and the School Safety Committee. Prior to the school year beginning, Franklin participates in the Back-to-School Jam with RPD and Micah House to partner for safety and wellness.

Inventory System - Engraved ID, Security Storage

Most school-site equipment has a metal ID tag or a bar cod sticker adhered to its surface. These items are inventoried annually and there is an established accountability system. Office and classroom supplies are secured.

Element:

Goal 1:

Franklin School will maintain a student-friendly environment throughout the campus.

Opportunity for Improvement:

I. Areas of Pride and Desired Improvements

a. Pride

1. Desert tolerant plants have been placed in front of the school and around the Garner Holt Innovation Lab. During the Summer of 2021, the library wheel (rooms 1-13 and office) received an upgrade which included drought tolerant plants, trees, clay composite and boulders to become an outdoor learning space. These areas will be maintained on a regular basis by our Maintenance & Operations Department as well as daily by site custodial staff.

2. The school holds weekly P.B.I.S. assemblies, The Falcon Assembly, to come together as a community and celebrate the hard work, dedication and character of our students focusing on our school's three P.B.I.S. traits: Be respectful, Be responsible and Be positive.

b. Areas of Desired Improvement

1. Although much improved, trash on the ground continues to be an area that requires conversation and reminders. We are establishing a new system called, "Adopt a Hallway."

2. Ensuring that bulletin boards inside and outside of classrooms are updated and maintained routinely.

Objectives	Action Steps	Resources	Lead Person	Evaluation
II. Desired Change #1 Campus Beautification	Related Strategies and Activities 1. Potted plants placed throughout the school that each classroom maintains.	Resources Required 1. Pots, plants and soil. 2. Picnic Tables Budget 1. REP Grant monies 2. ESSER funds	Personnel Assignments 1. Principal 2. Classroom teachers	Evaluation criteria 1. Classroom feedback 2. Parent feedback Timeframe for completion 1. Ongoing

Component:

School Climate

The School's Social Environment

Leadership at Franklin Elementary School is a shared process. A proactive role is assumed in all phases of the school operation. The current management team is committed to developing Franklin Elementary School toward excellence in the areas of academic and social behavior.

The principal sets a positive tone for the school, guides the staff and works closely with them on curriculum and school safety issues. The school site's organizational structure is open and flexible contributing to sensitivity concerning school safety issues and promoting a safe, orderly school environment conducive to learning.

Disaster Procedures, Routine and Emergency

A contingency plan for emergencies is contained in a handbook available to each staff member. The District's Emergency Response Plan - (ERP Plan) is listed at the last section of this plan. The plan is reviewed at the beginning of each school year. This plan also contains available district and outside agency resources, emergency disaster procedures and information on Standardized Emergency Management System (SEMS).

Classroom Organization and Structure

Franklin Elementary School teachers provide a varied learning environment in their classrooms. Teachers use a variety of teaching strategies including: small group instruction, flexible seating, interactive lessons, technology, use of cross-age tutors, weekly visits from the Redlands High School cross-age tutors, Garner Holt Innovation Lab, parent/community volunteers, ELO-P push in K-5 intervention, and math intervention for 4th and 5th grade.

The teachers at Franklin Elementary School are highly qualified, with many teachers holding advanced degrees. The staff is united in their desire to provide quality education for all pupils. Classrooms and teachers provide safe, orderly learning environment, enhance the experience of learning, and promote positive interactions amongst pupil and staff. Instructional time is maximized and disruptions are minimized.

The School's Cultural Environment

There is a high level of cohesiveness among the staff members at Franklin Elementary School. Cooperation and support between teachers and the administration is evident. Efforts are made by the administration and staff to show concern for all pupils.

All pupils are expected to behave in a manner that promotes safety and order. Pupils are encouraged to bring problems to the principal, assistant principal, counselor, teacher or other staff members. The everyday goal is for the staff to be proactive rather than reactive in all situations of concern.

The academic and behavior efforts of pupils are recognized and rewarded.

Cultural diversity is celebrated throughout the year by ensuring classrooms and the library provide access to books and other resources that promote cultural diversity and demonstrate representations of the students in which we serve. Monthly celebrations and awareness days are not only recognized, but celebrated. We are a P.B.I.S. school. The behavior expectations by location are posted in every classroom. Second Step lessons are taught by classroom teachers and counselors and occur in formal and informal conversations. Franklin Elementary is working closely with the District Equity and Accountability Coordinator and the site equity team to develop more opportunities to highlight representation and equitable learning practices at Franklin Elementary.

Franklin Elementary continues to build from the established diversity initiatives pushed out by the district. Franklin celebrates a variety of cultural awareness months spotlighting specific cultures through examples of their traditions, literature, dance, and/or music.

Element:

Goal 2:

Franklin School will maintain a student friendly environment throughout the campus to make school an inviting place for students, families and community members.

Opportunity for Improvement:

a. Pride

1. The school has a "Buddy Bench" on the kindergarten playground. When students find themselves alone, they can sit on the Buddy Bench and a student will come over and take the time to talk and include them.
2. Franklin is a P.B.I.S. school and promotes all students and employees to be respectful, responsible and positive.

b. Areas of Desired Improvement

Objectives	Action Steps	Resources	Lead Person	Evaluation
II. Desired Change #1 Leadership team will model exemplary citizenship.	Related Strategies and Activities 1. Monthly meetings with the Leadership Team. 2. Spirit days are planned for all students and staff to participate in.	Resources Required 1. Buddy Bench 2. Paint e. Budget 1. Paint \$50	Personnel Assignments 1. Principal 2. Teachers	Evaluation criteria 1. Student feedback 2. Staff feedback Timeframe for completion 1. Ongoing 2.

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

Franklin Elementary School Student Conduct Code

Procedures to Ensure a Safe and Orderly Environment

Rules and Procedures on School Discipline

Philosophy of Discipline

- Behavior expectations and the consequences for not meeting expectations must be clearly communicated to all students and their parents (in writing as well as verbally).
- The severity of consequences for violating behavior expectations increases with each incident of inappropriate behavior.
- The consequences for violating behavior expectations should be severe enough to discourage students from making poor behavior decisions.
- Expectations and consequences should permit students an opportunity to eliminate inappropriate behavior.

Additionally, the school staff recognizes that the middle school years are a transition time from adolescence to young adulthood. As a part of this transition, the student is given greater opportunities to be responsible and demonstrate independence and good judgment. The structure of our behavior expectations (in the classroom as well as school wide) is meant to encourage students to be responsible. The first step in many instances of inappropriate behavior (those considered to be "minor") is a simple warning ("Your behavior is unacceptable. Please stop such behavior"). It is only when a student ignores such warnings and continues to choose to act irresponsibly (like a child rather than an emerging adult) that we involve parents and implement consequences.

Elements of a Good Discipline Program

1. The program is focused upon making the entire campus, especially the classroom, a safe, supportive and orderly environment for learning for students and staff.
2. Classroom authority is retained by the classroom teacher. (Administration's role is to support, not to replace.)
3. Rules and procedures are clearly understood by staff and students.
4. All staff members will acknowledge and take appropriate action on any minor or major infraction of the school rules.
5. Rules and procedures comply with State Law and District policies.
6. The program recognizes the responsibilities and the rights of students and staff.
7. Program is structured to keep students in class and engaged in the educational process.
8. Rules are enforced:
 - A. by all staff members at all times.
 - B. strictly, but not rigidly (beware of "automatics").
 - C. in substantial part by adult modeling.
 - D. using techniques that promote the growth of positive self-esteem.
 - E. as close to the source as is possible.
 - F. by keeping parents informed.
9. The discipline program is understood, endorsed, and supported by staff, parents, and students.

PRINCIPAL'S STATEMENT TO FRANKLIN'S STAFF

Expectations in Developing & Maintaining Discipline

As Principal of our school, I will expect;

Each teacher to have a defined system of classroom management. A written description of this system, including representative examples of the progressive interventions you intend to employ, will be approved and filed by me.

Whenever possible and appropriate, teachers are encouraged to use standards and systems that are consistent with other village/department members.

You can expect;

Each administrator to assist and support you in every reasonable way in developing, implementing, and refining that system as needed.

I will expect

That when you refer a student for discipline:

1. The student has been made fully aware of classroom and school rules and knows what rules he/she has violated.
2. Teachers within a village will discuss any continuing behavior problems and schedule a team conference with the student and parents when appropriate.
3. That information will be provided on the referral regarding previous actions you have taken regarding this specific issue.
4. You have exhausted the interventions at your disposal (i.e., you have done everything you can do) and you have followed the guidelines established by the administration and staff on what constitutes an appropriate behavior referral.
5. The behavior was so serious or so blatant as to make immediate removal from the classroom necessary.
6. The written referral will be explicit in stating the offense(s).
7. You will send the student out of class with a referral only if his/her continued presence in the class would disrupt or prevent teaching and/or learning.
8. If necessary, the referral will be delivered to the office at a time convenient to the staff member so that the issue may be handled most efficiently, causing a minimum of lost class time.

You can expect

1. Each administrator to support your position in every reasonable way.
2. A response time on your referral of one, or at most, two days.
3. The availability of an administrator to discuss unresolved referrals after school on any given day.
4. That the administrator will exercise independent judgment regarding disposition of referrals.

I will expect

1. That each teacher will go to the doorway of his/her classroom after each class period as often as possible and assume control of student behavior in the corridor.
2. That each staff member will hold students accountable for their behavior on the school grounds at all times.

You can expect

1. Administrator support, investigation, and follow-through as indicated.
2. A response to referrals from incidents outside the classroom to be the same as to those within.

Rebecca Acosta, Ed.D.
Principal

WHAT TO DO WHEN PROBLEMS APPEAR

Both behavioral and academic problems are present in some of our students. Teachers often ask for guidelines for dealing with these problems. Here they are:

1. Talk to the administrator assigned to your grade level.
2. Call parents at first sign of concern. Inform the parents of your observations, ask for their ideas, assistance, and support in serving the student. Keep a log of your calls.
3. If possible, talk privately to the student about your concerns.
4. Behavior concerns—look through students' CUM file. Any official suspensions will be in file, also look for teacher comments on report cards. Look for patterns of behavior. We use In-House Suspension whenever possible, as it is preferable to having students at home unattended—and it saves the district money. Serious infractions (fighting, threats, etc.) do result in official suspension. Unresponsive students can be moved to other schools or expelled.
5. Referrals—please remember if you write a student referral, you are required to call the parents. You are writing the referral and can answer the parents' questions firsthand. Administrators will also call parents, but can only provide secondhand information on the incident.
6. Academic Concerns—again, look through student CUM. This will contain test scores, report cards, and a student history. You may want to ask the grade level administrator to schedule a Intervention Support Team (IST). This will involve a meeting with the student, parents, administrator/administrator designee, students' teachers, and perhaps the psychologist.

Conduct Code Procedures

(K) Hate Crime Reporting Procedures and Policies

School Safety Strategy:

Procedures, programs and strategies used to help eliminate problems of bias or unfair treatment of pupils by staff and by peers because of ethnic group, gender, race, national origin, social class, religion, disability, sexual orientation, physical appearance, color, ancestry, parental status, or other relevant characteristics. The school provides a way for each pupil to safely report and, be protected after reporting, troubling behaviors that the pupil thinks may lead to dangerous situations, such as potential school violence.

Nondiscrimination and Fair Treatment of Pupils

A major source of conflict in many schools is the perceived or real problem of bias and unfair treatment of students because of ethnicity, gender, race, social class, religion, disability, nationality, sexual orientation, physical appearance, or some other factor. Effective schools convey the attitude that all children can achieve academically and behave appropriately, while at the same time appreciating individual differences. Effective schools communicate to students and the greater community that all children are valued and respected. In order to maximize the successful education of all students and help them become productive citizens and lifelong

learners in a diverse society, all individuals including student, parents, staff and community members:

- Shall be treated with dignity, respect and fairness;
- Shall encourage and maintain high expectations;
- Shall model an appreciation for socio-economic, cultural, ethnic, gender and religious diversity; and
- Shall contribute to an environment of mutual respect, caring and cooperation.

Students, parents, staff and community members shall join together to share a sense of belonging and take pride in our schools, facilities and programs through participation and cooperation in support of the education of all students. A copy of the "Parent Student Handbook" is provided to each parent/student annually or upon enrollment. This handbook includes information pertaining to student rights to physical safety, to the protection of personal property, to respect from adults, and to be free of discrimination on the basis of gender, race, color, religion, ancestry, national origin, ethnic group, marital or parental status, physical or mental disability, sexual orientation or the perception of one or more of such characteristics. The District's policies on nondiscrimination and sexual harassment support these protections and serve to promote the fair treatment of all children.

Ways to Report:

At Franklin Elementary School, 6-1 signs include information pertaining to See Something, Say Something; Bullying Reporting; Sexual Harassment/Title IX; Williams Complaint Process and the Uniform Complaint Procedure which are placed in visible location in buildings/classrooms at all school sites. This information is also included on both the school's and district's website. Bullying Report forms are available both in the school's office and on the website (all are in Spanish & English).

(J) Procedures to Prepare for Active Shooters

Safe and Secure Mode YELLOW (Limit Outside Movement)

Safe and Secure Mode is a security procedure used to reduce student and staff movement outside school buildings. This may be due to a medical emergency, area disturbance, isolated site disturbance, etc. It is designed to allow for school to carry forward but have the ability to move to Lockdown quickly if needed. During the Safe and Secure mode, there is heightened vigilance on campus by all school staff.

Generally, recesses and outdoor activities are reduced. Parents/guardians can have access to their student(s) and may check them out of school if they see fit to do so.

? Teachers should continue teaching as normal

? Allow students restroom use with clear administrator/ teacher direction

? Increased available staff presence during passing periods and student dismissal

? Lunch/activities monitored more closely for movement outside of lunch area, unless site admin decides otherwise

? Standard inclement weather schedule/routine in place, unless site administrator/designee decides otherwise

? Perimeter gates, where applicable, will be locked and monitored by available staff, allowing for central access points

? PE classes will be monitored more closely for movement outside of PE area; classes may be moved off all fields into more secure locations (e.g., gym, class, & MPR)

Lock Down ORANGE (Prevent All Outside Movement)

Lock Down is called when a law enforcement event is happening in the vicinity of a school or on campus. With the support of law enforcement, a school site will call a Lock Down as a precautionary measure. This means all students and staff must stay inside behind locked doors; however, it does not mean that there is an active threat occurring on campus.

- ? Take a look outside your classroom and gather up any stray students in the hallways
- ? Ensure that your door is locked
- ? Project a calm demeanor to help students remain calm; reassure students that they are safe
- ? Do not allow anyone to leave the classroom
- ? Staff and parents/guardians frequently check their emails for updates from their site administrators
- ? If students are out on the playground or athletic fields, quickly move them to a secure classroom, locker room, or multi-purpose room
- ? Teachers continue to keep students engaged in learning

Critical Alert RED (Locks, Lights, Out of Sight)

Critical Alert is called when a significant, threatening event is happening on campus or adjacent to campus that creates a potential danger to students and staff. While this may be communicated to the school by law enforcement, it may also be determined by school officials on the scene. Critical Alert assumes that everyone is prepared for a potential significant threat/event on campus.

- ? Turn off or reduce lighting, so it will appear that the room is vacant
- ? Keep all students sitting on the floor, away from the door or windows
- ? Do not look out the windows
- ? Advise the students that there is a serious situation; project a calm demeanor and reassure students that you are taking steps to keep them safe
- ? Ensure that everyone in the room turns the ringer off on their cell phones
- ? Do not allow students to talk on their cell phones (keep room as quiet as possible)
- ? Limit calls to the school office; phones are being used to communicate with parents/guardians and first responders
- ? Quietly take roll and make a list of missing students and any extra students that are in your room. Email this list to your administrators and school site secretaries
- ? When staff determines, they will direct the evacuation of students they oversee to the designated area; each staff will make this determination based on their specific situation
- ? Do not open the door, even if someone knocks and claims to be a staff member (administrator/custodian will have a master key)
- ? If students are out on the PE field, do not return them to the locker room. Move them to a safe place (this may be the farthest part of the campus or off campus); Staff must remain with students until reunification

Procedures for Preventing Acts of Bullying and Cyber-bullying

Policy 5131.2: Bullying

Original Adopted Date: 12/10/2019 | Last Reviewed Date: 12/10/2019

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, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any other student or school personnel, or retaliate against them for filing a complaint or participating in the complaint resolution process.

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

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

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

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

Definitions

Bullying is an unwanted, aggressive behavior that involves a real or perceived imbalance of power between individuals with the intent to cause emotional or physical harm. Bullying can be physically, verbally, or socially/relationally harmful and involves repetition or potential repetition of a deliberate act. Bullying can involve intimidation and coercion.

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. Cyberbullying can be harmful to the online reputations of everyone involved, including the person who is cyberbullying and those participating in it.

Examples of the types of conduct that may constitute bullying and are prohibited by the district include, but are not limited to: Physical bullying that inflicts harm upon a person's body or possessions, such as hitting, kicking, pinching, spitting, tripping, pushing, taking or breaking someone's possessions, or making cruel or rude hand gestures

Verbal bullying that includes saying or writing hurtful things, such as teasing, name-calling, inappropriate sexual comments, taunting, or threats to cause harm

Social/relational bullying that harms a person's reputation or relationships, such as leaving a person out of an activity on purpose, influencing others not to be friends with someone, spreading rumors, or embarrassing someone in public

Cyberbullying, such as sending demeaning or hateful text messages or emails, sending or spreading online rumors by email or by posting them on social networking sites or apps, posting embarrassing or explicit photos or videos online or on apps, or creating fake profiles can also be considered cyberbullying.

Measures to Prevent Bullying

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

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

Providing to students, through student handbooks and other age-appropriate means, information about district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for engaging in bullying

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

Annually notifying district employees that, pursuant to Education Code 234.1, any school staff who witnesses an act of bullying against a student has a responsibility to immediately intervene to stop the incident when it is safe to do so

Staff Development

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

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:

Discuss the diversity of the student body and school community, including their varying immigration experiences

Discuss bullying prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims

Identify the signs of bullying or harassing behavior

Take immediate corrective action when bullying is observed

Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior

Student Instruction

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

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.

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 or designee 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.

When appropriate based on the severity or pervasiveness of the bullying, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators and may contact law enforcement.

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

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.

Safety Plan Review, Evaluation and Amendment Procedures

The Safety Plan is reviewed annually with the site School Safety Team and the School Site Council prior to district review.

Emergency Response Guidelines

Step One: Identify the Type of Emergency

Step Two: Identify the Level of Emergency

Step Three: Determine the Immediate Response Action

Step Four: Communicate the Appropriate Response Action

Types of Emergencies & Specific Procedures

Earthquake

A contingency plan for emergencies is contained in a handbook available to each staff member. The District's Emergency Response Plan - (ERP Plan) is listed at the last section of this plan. The plan is reviewed at the beginning of each school year. This plan also contains available district and outside agency resources, emergency disaster procedures and information on Standardized Emergency Management System (SEMS).

Implement Duck/Cover/Hold:

- Initiate RAPTOR Emergency Management System
- Wait for for shaking to stop while students and staff implement Duck/Cover/Hold/Evacuate
- Evacuate to designated area
- Teacher must take Disaster bag
- Upon arrival at line-up area, take roll and check buddy Teacher
- During recess students should Duck/Cover/Hold where they stand, then proceed to their regular designated "after recess line up area" to wait for their teacher
- Admin/office staff check and confirm student/staff attendance

Fire in Surrounding Area

A contingency plan for emergencies is contained in a handbook available to each staff member. The District's Emergency Response Plan - (ERP Plan) is listed at the last section of this plan. The plan is reviewed at the beginning of each school year. This plan also contains available district and outside agency resources, emergency disaster procedures and information on Standardized Emergency Management System (SEMS).

Fire in Surrounding Area

Administration will monitor the smoke or fire to ensure students, staff and the school structure is safe. If the fire/smoke is close to the school, students and staff will be asked to stay indoors. If the fire or smoke is threatening the school, then the schools fire on schools grounds procedure may need to be enacted:

- Initiate RAPTOR Emergency Management System
- Children immediately evacuate the room to designated area
- Teacher must take Disaster bag and shut all doors
- Upon arrival at line-up area, take roll and check buddy Teacher
- During recess students need to proceed to their regular designated "after recess line up area" to wait for their teacher
- An updated monthly class list needs to be placed in disaster backpacks

- Admin/office staff check and confirm student/staff attendance

Fire on School Grounds

A contingency plan for emergencies is contained in a handbook available to each staff member. The District's Emergency Response Plan - (ERP Plan) is listed at the last section of this plan. The plan is reviewed at the beginning of each school year. This plan also contains available district and outside agency resources, emergency disaster procedures and information on Standardized Emergency Management System (SEMS).

Fire on School Grounds

- Initiate RAPTOR Emergency Management System
- Children immediately evacuate the room to designated area
- Teacher must take Disaster bag and shut all doors
- Upon arrival at line-up area, take roll and check buddy teacher
- During recess students need to proceed to their regular designated "after recess line up area" to wait for their teacher
- An updated monthly class list needs to be placed in disaster backpacks
- Admin/office staff check and confirm student/staff attendance

Pandemic

Blood Borne Pathogen Incident Reporting Form and Exposure Control Plan

Policy 5141.22: Infectious Diseases

Last Update: 3/14/2006

The Governing Board desires to protect students from risks posed by exposure to infectious diseases while providing an appropriate education for all students.

The Superintendent or designee shall determine whether to admit a student with an infectious disease, and shall exclude students only in accordance with law. In making this determination, he/she shall consult the student's parents/guardians, the student's physician and/or the county health department, in accordance with law and consistent with confidentiality provisions. Because bloodborne pathogens such as hepatitis B virus, hepatitis C virus and human immunodeficiency virus (HIV) are not casually transmitted, the sole presence of bloodborne pathogens is not sufficient reason to exclude students from attending school.

cf. 5112.2 - Exclusions from Attendance)

(cf. 5141.26 - Tuberculosis Testing)

(cf. 5141.3 - Health Examinations)

(cf. 6158 - Independent Study)

(cf. 6159 -Individualized Education Program)

(cf. 6183 - Home/Hospital Instruction)

Parents/guardians are encouraged to inform the Superintendent or designee if their child has an infectious disease so that school staff may work cooperatively with the student's parents/guardians to minimize the child's exposure to other diseases in the school setting. The Superintendent or designee shall ensure that student confidentiality rights are strictly observed in accordance with law. No district employee shall release medical information, including knowledge of a bloodborne pathogen infection, without written consent from the parent/guardian or adult student. Such information shall be shared only with those persons specifically named in the written permission.

(cf. 5125 - Student Records)

(cf. 5022 -Student and Family Privacy Rights)

The Board requires students and staff to routinely observe universal precautions to prevent exposure to bloodborne pathogens and to prevent the spread of all infectious disease.

cf. 4119.42/4219.42/4319.42 -Exposure Control Plan for Bloodborne Pathogens)
(cf. 4119.43/4219.43/4319.43 - Universal Precautions)
(cf. 5141.23 - Infectious Disease Prevention)

The Superintendent or designee shall ensure that the district's health education program provides information about the nature of bloodborne pathogens and their transmission.

(cf. 5141.6 - Student Health and Social Services)
(cf. 6142.2 - Sexual Health and HIV/AIDS Prevention Instruction)
(cf. 6142.8 - Comprehensive Health Education)

Blood Borne Pathogens - Safety Practices

Procedures and Regulations

1. General

1.1 While recognizing that both students and employees diagnosed with an infectious blood borne disease are entitled to a confidential relationship between themselves, the medical community and/or other agencies, the Board of School Trustees encourages these individuals to meet with the School Principal and/or Superintendent of Schools to discuss their disease and immediate and future needs.

1.2 Assessment

2. Students:

2.1. The Superintendent (or designate) will be informed, by the school principal as soon as is known, of any student infected with an infectious blood borne disease.

2.2. A Risk Assessment will be conducted using a team approach including the personal physician, public health personnel, the parent or guardian, and school district personnel as appropriate and will make recommendations about the type of educational and care setting based on the following:

- a. Behavior, neurological development and physical condition of the child;
- b. Type of interaction expected with others.
- c. What the potential is for exposure
- d. Areas for potential for exposure
- e. How exposure may happen
- f. Who needs to know?
- g. What will happen if there is a risk of exposure?

2.3. The team will consider the risk to others in the workplace, whether or not the individual is healthy enough to continue to attend school, and what precautions should be taken to ensure the safety and health of others.

a. The identity of infected students will remain confidential and restricted to those who need to know or are required to be informed.

2.4. Decisions on attendance at school are dependent on the circumstances of each individual case. Regular evaluation of the appropriateness of attendance will be conducted.

2.5. The Board will be notified immediately when the team considers the health condition of a student to be a danger to the immediate health and welfare of a school, its students or employees of the Board.

a. Upon being notified of the team's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

3. Employees

3.1. The Superintendent will be informed, by district staff as soon as is known, of any employee infected with an infectious blood borne disease.

3.2. Employees with an infectious blood borne disease, who are able to carry out the essential duties of their jobs in a satisfactory manner without posing a health or safety risk to themselves or others, will be entitled to continue their work.

3.3. Decisions regarding potential health or safety hazards will be made on a case-by-case basis in consultation with the employee, the personal physician and district personnel as appropriate.

3.4. The identity of infected employees will remain confidential and restricted to those who need to know or are required to be informed.

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4. Hygienic Safety Practices

4.1. All employees will follow "Universal Infection Control Precautions" by assuming that blood and other body fluids from all individuals are potentially infectious. These precautions include:

- a. Routinely using gloves when anticipating contact with blood
- b. Immediately washing hands and other skin surfaces after removal of gloves and/or contact with blood

4.2. Schools will be provided with appropriate protective equipment including disposable waterproof gloves (natural rubber latex, neoprene, nitrile, or vinyl), tongs or pliers and proper sharps containers.

4.3. Schools' medical room mattresses will be either vinyl-coated beds or cloth mattress with a protective vinyl (plastic) covering so that they can be cleaned as needed with a bleach solution.

4.4. Blankets can be cleaned as needed by forwarding them, in a clearly labeled plastic bag, to the Assistant Supervisor Operations at the Facilities Office.

5. Universal Precautions

5.1. Universal Precautions to prevent transmission of blood-borne disease will be followed. Universal Precautions is the term for infection control measures endorsed by the Canadian Centre for Occupational Health and Safety for workers who might come into contact with blood and other body fluids. In summary they include:

- a. Wash hands for 30 seconds after contact with blood and other body fluids contaminated with blood.
- b. Wear disposable latex gloves when you encounter blood, body fluids, or when cleaning cuts, scrapes or wounds. Wash your hands as soon as you remove your gloves. Dispose gloves in a plastic bag.
- c. Use disposable absorbent material like paper towels to stop bleeding.
- d. Discard bloodstained material in a sealed plastic bag and deposit in the garbage. Label as containing blood-tainted material.
- e. Cover cuts or scrapes with a bandage until healed.
- f. Immediately protect staff and students from coming in contact with blood-soiled surfaces. The area must be disinfected with a fresh solution of one part bleach and nine-parts water (10% bleach solution).

Mops or brushes used for cleaning should be soaked in a bleach solution for 20 minutes.

(Note: The custodial department will provide each school with the product for dissolving in water to provide the bleach solution.)

6. Identification of Risks of Occupational Exposure

6.1. In accordance with the Occupational Health and Safety Regulations (section 6.35), the district's Health & Safety Coordinator will develop and maintain a list of positions and/or tasks and procedures where there is a potential for occupational exposure to a blood borne pathogen.

6.2. Employees who have, or may have, occupational exposure to the hepatitis B virus, will upon request, receive a hepatitis B vaccination (section 6.39, OH&S Regs).

6.3. Employees who may have been exposed to a blood borne pathogen in an exposure incident will be advised to immediately seek medical attention

Blood Borne Pathogen Incident Reporting Form and Exposure Control Plan

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- 6.3. Employees who may have been exposed to a blood borne pathogen in an exposure incident will be advised to immediately seek medical attention



Franklin Elementary School
Safety Committee Agenda
Monday, September 23, 2024

1. Welcome
2. Introductions
 - a. Please sign in
3. Review of minutes – None currently as this is our first meeting 😊
4. New Business
 - a. Goals and Future Topics of the Committee (Gayle)
 - b. School Safety Plan (Gayle)
 - i. Read through, discuss, proposed changes, approval
5. Good of the Order

Comprehensive School Safety Plan

**2024-2025
School Year**

School: Highland Grove Elementary
CDS Code: 36-67843-01078888
District: Redlands Unified School District
Address: 7700 Orange Street
Highland, CA 92346
Date of Adoption: October 24, 2023
Date of Update: October 1, 2024
Date of Review:
- with Staff
- with Law Enforcement
- with Fire Authority

Approved by:

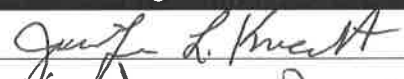
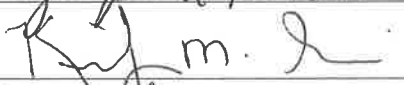
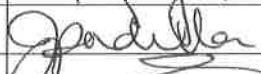

Name	Title	Signature	Date
Jennifer Knecht	Assistant Principal		10-1-24
Kimberly Simon	2nd Grade Teacher - Certificated		10-1-24
Jennie Padilla	Parent		10/1/24
George Radke	Lead Custodian - Classified		10/1/2024

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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 7700 Orange St, Highland, CA 92346.

Safety Plan Vision

Highland Grove Elementary School will provide a safe, orderly, and secure environment conducive to learning. Highland Grove Elementary School will create a school in which pupils will attend regularly and be safe from both physical and social-psychological harm. Highland Grove Elementary School will work collaboratively with the district office and school board to identify, establish and use strategies and programs to comply with school safety laws. Highland Grove Elementary School will develop a plan to work cooperatively and collaboratively with parents, pupils, teachers, administrators, counselors and community agencies, including law enforcement, to provide a safe and orderly school and neighborhood. Highland Grove Elementary School will develop an academic program that will focus on high expectations of pupil performance and behavior in all aspects of the school experience. Highland Grove Elementary School will work collaboratively with other elementary, middle schools and high schools to assist in a smooth transition from one school level to another. Highland Grove Elementary School will solicit the participation, views, and advice of teachers, parents, school administrators, and community members and use this information to promote the safety of our pupils, staff and community.

Components of the Comprehensive School Safety Plan (EC 32281)

Highland Grove Elementary Safety Committee

Assessment of School Safety

Last school year (2023-2024), Highland Grove did not experience any crime or vandalism on campus.

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

Introduction - School Profile

Highland Grove Elementary is one of twenty-four schools in the Redlands Unified School District with traditions dating back to 2005. Highland Grove Elementary has a diverse pupil student body and is served by a dedicated staff. Both staff and parents comment on the positive changes that are ongoing in our school.

Highland Grove Elementary faces challenges in maintaining a safe school. This section of the Comprehensive School Safety Plan will describe programs in place at our school as well as strategies and programs of our school site council for continued improvement in providing a safe, orderly, school environment conducive to learning.

School Crime Status and Reporting

Last school year (2023-2024), Highland Grove did not experience any crime or vandalism on campus.

Personal Characteristics of Pupil & Staff

(Additional Health and Welfare Data available from ICOE aggregated DAT surveys)

Highland Grove Elementary has an enrollment of 501 pupils in grades TK - 5. Pupils from this school come from families with some family mobility. Approximately 65.8% of the pupils are in families with Dependent Children that are eligible for free/reduced lunches or have parents/guardians who did not receive a high school diploma. The ethnic makeup of the pupil population is 63.67% Hispanic or Latino, 3.59% Black, 12.57% Caucasian, 10.38% Asian, 1.20% Filipino, 0.40% Pacific Islander, and 7.98% Multi-Ethnic and Other. Our pupils have a variety of life experiences. Some pupils have recently arrived from foreign countries while others have never left their neighborhood.

Curriculum and Educational Activities

The course of study includes the basic core curriculum, physical education and enrichment classes such as art, music, physical education and STEM/STEAM.

Pupils have the opportunity to participate in during and after-school activities. These include enrichment classes, running club, academic and EL tutoring, after-school library access and activities, digital storytelling, Lego, and coding/robotics, and ELOP. These activities happen during the school day and after school for the 2024-2025 school year.

Staff provides opportunities and additional activities open to pupils in the areas of sports events, student council, science activities, family nights and parent training activities. These activities happen during the school day and after school for the 2024-2025 school year.

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

Policy 5141.4: Child Abuse Prevention and Reporting

The Governing Board recognizes that the district has a responsibility to facilitate the prompt reporting of incidents of child abuse and neglect. The Superintendent or designee shall ensure that parents/guardians have access to procedures whereby they can report suspected child abuse at a school site to appropriate child protective agencies

The Superintendent or designee shall develop and implement regulations for use by employees in identifying and reporting child abuse

District employees shall report known or suspected incidents of child abuse in accordance with district regulations and state law. Employees shall cooperate with the child protective agencies responsible for reporting, investigating and prosecuting cases of child abuse.

(cf. 4112.9 - Signed Statements/Child Abuse Reporting Statements)

The Superintendent or designee shall provide training in child abuse identification and reporting for all certificated and classified personnel. (Penal Code 11165.7)

All employees trained in child abuse identification and reporting shall be given, as a part of that training, written notice of the child abuse reporting requirements and the employees' confidentiality rights. (Penal Code 11165.7)

In order to reduce or eliminate unfounded child abuse accusations directed at school employees, child abuse in service training shall include guidance in disciplining students and maintaining ethical relationships with them.

(cf. 3514 - Safety)

(cf. 5142 - Safety)

Duty to Report

Certificated employees and classified employees trained in child abuse identification and reporting shall report known or suspected child abuse to a child protective agency by telephone immediately or as soon as practically possible and in writing within 36 hours. The reporting duties are individual and cannot be delegated to another individual except under circumstances set forth in Penal Code 11166.

Definitions

Child Abuse includes the following:

1. A physical injury inflicted by other than accidental means on a child by another person.
2. Willful cruelty or unjustifiable punishment of a child, or willfully inflicting unjustifiable physical pain or mental suffering, or failure to safeguard a child from these injuries when the child is under a person's care or custody
3. Sexual abuse of a child
4. Neglect of a child or abuse in out-of-home care
5. Unlawful corporal punishment or injury resulting in a traumatic condition

Mandated Reporters are those people defined by law as child care custodians, health practitioners, child visitation monitors and employees of a child protective agency. Mandated reporters include virtually all school employees. The following school personnel are required to report:

Teachers, administrators, supervisors of child welfare and attendance, certificated student personnel employees, employees of care institutions, Headstart teachers, school psychologists, licensed nurses, counselors, presenters of child abuse prevention programs and those instructional aides or other classified employees trained in child abuse reporting.

Child Protective Agencies are those law enforcement and child protective services responsible for investigating child abuse reports, including the local police or sheriff department, county welfare or juvenile probation department and child protective services.

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

Reporting Procedures

To report known or suspects child abuse, any employee (as defined above) shall report by telephone to the local child protective agency immediately. (Child Protective Services 921 County Center, 3 Court, Modesto, CA phone # 525- 6641)

The following information shall be given:

1. The name of the person making the report
2. The name of the child
3. The present location of the child
4. The nature and extent of any injury

Any other information requested by the child protective agency, including the information that led the mandated reporter to suspect child abuse.

When the verbal 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.

Within 36 hours of making the telephone report, the mandated reporter shall complete and mail to the local child protective agency a written report which includes a completed Department of Justice form (DOJ SS 8572).

Mandated reports may obtain copies of the above form either from the district or local child protective agency.

Instructions are included on the form, and reporters may ask the site administrator for help in completing and mailing it; however, the mandated reporter is personally responsible for ensuring that the written report is correctly filed.

Employees reporting child abuse to a child protective agency are encouraged, but not required, to notify the site administrator or designee as soon as possible after the initial verbal report by telephone. When so notified, the site administrator shall inform the Superintendent or designee.

Administrators so notified shall provide the mandated reporter any assistance necessary to ensure that reporting procedures are carried out in accordance with law and district regulations. At the mandated reporter's request, the principal may assist in completing and filing the form.

If the mandated reporter does not disclose his/her identity to a district administrator, he/she shall at least provide or mail a copy of the written report to the site administrator and the district without his/her signature or name.

Legal Responsibility and Liability

Mandated reporters have absolute immunity. School employees required to report are not civilly or criminally liable for filing a required or authorized report of known or suspected child abuse.

A mandated reporter who fails to report an instance of child abuse, which he/she knows to exist or reasonably should know to exist, is guilty of a misdemeanor and is punishable by confinement in jail for a term not to exceed six months or by a fine of not more than \$1,000 or both. The mandated reporter may also be held civilly liable for damages for any injury to the child after a failure to report

When two or more persons who are required to report have joint knowledge of suspected instance of child abuse, and when they so agree, the telephone report may be made by either of them and a single report made and signed by that person.

However, if any person who knows or should know that the person designated failed to make the report, that person then has a duty to make the report.

The duty to report child abuse is an individual duty and no supervisor or administrator may impede or inhibit such reporting duties. Furthermore, no person making such a report shall be subject to any sanction.

Victim Interview

Upon request, a child protective agency representative may upon request interview a suspected victim of child abuse during school hours, on school premises, concerning a report of suspected child abuse that occurred within the child's home. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. (Penal Code 11174.3)

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

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

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

Peace officer and child protective services agents will be asked to sign an appropriate release or acceptance of responsibility form.

(cf. 5145.11 - Questioning and Apprehension)

When School Employees are Accused of Child Abuse

Regardless of who child abusers may be, the major responsibilities of mandated reports are to 1) identify incidents of suspected child abuse, and 2) comply with laws requiring the reporting of suspected abuse to proper authorities. Determining whether or not the suspected abuse actually occurred is not the responsibility of the school employee. Such determination and follow-up investigation will be made by a child protective agency.

Pending outcome of an investigation by a child protective agency and before formal charges are filed, the employee may be subject to reassignment or a paid leave of absence.

Upon filing formal charges or upon conviction, the district may take disciplinary action in accordance with law, district policies, regulations and/or collective bargaining agreements. The Superintendent or designee shall seek legal counsel in connection with either the suspension or dismissal of the employee.

(cf. 4117.4 - Dismissal)
(cf. 4118 - Suspension/Disciplinary Action (Certificated))
(cf. 4218 - Suspension/Disciplinary Action (Classified))

Suspected Child Abuse Reporting Procedures

I. Initiating the Report

A. The report is initiated by a telephone report to the appropriate agency.

B. If the suspected child abuse has taken place within the family, call the Enter appropriate Agency Hotline at phone number, 1 (800) 827-8724

C. If the suspected child abuse has taken place outside the family, call the local police department at:

Highland Sheriff Police Department
Phone: (909) 425-9793

D. Content of call.

- 1) Name, address and age of child involved.
- 2) Clear description of suspected abuse.

II. Written Report

A. The telephone call is to be followed by completion of the Suspected Child Abuse Report (form 11166.P.C.). These forms are available in the Principal's office at the high school or you may access the form on line at:
http://ag.ca.gov/childabuse/pdf/ss_8572.pdf for a form or immediately call (909) 384-9233 to file a report.

B. The written report is to be addressed to the person to whom the telephone report was made.

C. The written report must follow the phone call within 36 hours.

1. Suspected child abuse within the family,
Agency: Children and Family Services
Address: 150 S. Lena Road, San Bernardino, California 92415

2. Suspected child abuse outside the family should be mailed to the agency to which the report was called -

Adopted: 10/2005
Highland Sheriff Police Department
Phone: (909)425-9793

The reporting party should keep the yellow copy of the Suspected Child Abuse Report form (SS8572) or verification of completion of the reporting obligation.

Caution:

1. The reporting responsibility has not been discharged until both the telephone call and written reports are complete.
2. School personnel are not to engage in any investigation of suspected cases. The investigation will be done by the child protective services office.
3. The reporting responsibility is an individual one which is NOT discharged by report to supervisors or administrators.

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

Disaster Plan (See Appendix C-F)

Each classroom, office, library and room on campus has a posting of the emergency procedures near the exit door. Emergency procedures are also posted in each classroom notebook which is reviewed at the beginning of the school year for updates. Fire Drills are practiced each month of the school year. Earthquake drills are practiced four times per year and Lock Down drills are practiced three times per year.

Public Agency Use of School Buildings for Emergency Shelters

None

(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines

Policy 5144.1: Suspension And Expulsion/Due Process

Suspension and Expulsion

The Governing Board recognizes that maintaining an environment which promotes learning and protects the health, safety, and welfare of all students may require the suspension or expulsion of a student from regular classroom instruction. District policies and school site rules shall clearly identify district behavior standards

(cf. 5144 - Discipline)

Except in cases where suspension for a first time offense is warranted in accordance with law, suspension shall be imposed only when other means of correction fail to bring about proper conduct. (Education Code 48900.5)

Expulsion is an action taken by the Board for severe or prolonged breaches of discipline by a student. Except for single acts of a grave nature, expulsion is usually used only when there is a history of misconduct, when other forms of discipline, including suspension, have failed to bring about proper conduct, or when the student's presence causes a continuing danger to other students. (Education Code 48915)

The grounds for suspension and expulsion and the procedures for considering, recommending and/or implementing suspension and expulsion shall be specified in Administrative Regulation.

Each principal shall annually inform all students and parents/guardians of the school's discipline rules and procedures and of the availability of all district policies and regulations dealing with student discipline, suspension and expulsion. (Education Code 35291, 35291.5)

(cf. 5145.6 - Parental Notifications)

Suspended or expelled students shall be excluded from all school-related extracurricular activities during the suspension or expulsion.

cf. 6145 - Extracurricular and Cocurricular Activities)

Zero Tolerance

The Board supports a zero tolerance approach to serious offenses in accordance with state and federal law. This approach makes the removal of potentially dangerous students from the classroom a top priority and ensures the standardized treatment of all students. Staff shall immediately report to the Superintendent/ designee any incidence of offenses specified in law, Board policy, and administrative regulation as cause for suspension or expulsion.

Student Due Process

The Board shall provide for the fair treatment of students facing suspension and expulsion by affording them their due process rights under the law. The administration and staff shall comply with procedures for notices and appeals as specified in regulation. Procedures governing student due process shall conform in all aspects to provisions in law. (Education Codes 48911, 48915 and 48915.5)

Whenever a student is suspended, school officials may (but are not required to) meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

cf. 5119 - Students Expelled from Other Districts

(cf. 5144.2 - Suspension and Expulsion/Due Process - Individuals with Exceptional Needs)

Rights of Complaining Witness

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

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

1. Receive five days' notice of his/her scheduled testimony at the hearing
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies
3. Have a closed hearing during the time he/she testifies

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

On-Campus Suspension Program

The Board recognizes that students who are suspended from school frequently have no supervision or guidance during the school hours when they are off campus. The Board believes that in many cases, instead of sending the student off campus, it would be better to address the student's misconduct by keeping the student at school and providing him/her with supervision that is separated from the regular classroom.

The Superintendent or designee shall examine alternatives to off-campus suspension and may establish a suspension program which involves progressive discipline during the school day on campus; using conferences between staff, parents/guardians and students; detention; student study teams or other assessment-related teams; and/or referral to school support services staff.

Required Parental Attendance

The Board believes that parental involvement plays an important role in the resolution of classroom behavior problems. The Board expects that teachers will communicate with parents/guardians when behavior problems arise

Whenever a student is suspended from a class because he/she committed an obscene act, engaged in habitual profanity or vulgarity, disrupted school activities or otherwise willfully defied valid staff authority, the teacher of the class from which the student was suspended may require the student's parent/guardian to attend a portion of a school day in that class. After completing the classroom visit and before leaving school premises, the parent/guardian also shall meet with the principal or designee. (Education Code 48900.1)

The Board encourages teachers, before requiring parental attendance, to make reasonable efforts to have the parent/guardian visit the class voluntarily. The teacher also may consider informing the parent/guardian about available resources which may provide help in the development of parenting skills. Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the student and the parent/guardian and to improve classroom behavior.

Parental attendance may be required on the day the student returns to class or within one week thereafter. The principal or designee shall contact any parents/guardians who do not respond to the request to attend school. The Board recognizes that parental compliance with this policy may be delayed, modified or prevented by serious illness/injury/disability, absence from town, or inability to get certain release time from work.

The teacher shall apply this policy uniformly to all students within the classroom. This policy shall apply only to a parent/guardian who actually lives with the student. (Education Code 48900.1)

District regulations and school-site rules for student discipline shall include procedures for implementing parental attendance requirements.

Parents/guardians shall be notified of this policy before it is implemented and at the beginning of each subsequent school year. (Education Code 48900.1, 35291, 48980)

Decision Not to Enforce Expulsion Order

In cases where expulsion is mandatory pursuant to Education Code 48915(c), the enforcement of an expulsion order shall not be suspended by the Board. In all other cases of expulsion, the order for expulsion may be suspended by the Board, on a case-by-case basis, pursuant to the requirements of law.

Definitions

Suspension from school means removal of a student from on going 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, nor referral to a certificated employee designated by the principal to advise students, nor removal from the class without reassignment to another class or program for the remainder of the period, without sending the student to the principal or designee.

2. Removal from a particular class shall not occur more than once every five school days. (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)

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

School property, for the purposes described in Education Code 48900, includes, but is not limited to, electronic files and databases. (Education Code 48900(s))

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, suspension and expulsion. Transfer students and their parents/guardians shall be notified at the time of enrollment. (Education Code 35291.5, 48900.1, 48980)

(cf. 5144 -Discipline)

(cf. 5145.6 Parental Notifications)

Notification shall include information about the ongoing availability of individual school rules and all district policies and regulations pertaining to student discipline. (Education Code 35291)

(cf. 5145.6 -Parental Notifications)

Grounds for Suspension and Expulsion

Students may be suspended or recommended for expulsion when the Superintendent, principal, or principal's designee at the school in which the student is enrolled determines that the student has done any of the acts listed below:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense. (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However, a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code Board Policy Manual Redlands Unified School District 48900(s))

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

(cf. 5 131 - Conduct)

(cf. 5131. 7 - Weapons and Dangerous Instruments)

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

(cf. 5131.6 -Alcohol and Other Drugs)

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

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

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

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

8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products with prior approval of the principal or designee. (Education Code 48900(h))

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

10. Unlawfully possessed, or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code. (Education Code 48900(j))

11. Disrupted school activities or otherwise willfully defied 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))

12. Knowingly received stolen school property or private property. (Education Code 48900(1))
13. Possessed an imitation firearm, i.e., 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))
14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code 243.4. (Education Code 48900(n))
15. 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))
16. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug soma. (Education Code 48900(p))
17. Engaged in, or attempted to engage in, hazing as defined in Education Code 32050. (Education Code 48900(q))
18. Made terrorist threats against school officials and/or school property. (Education Code 48900.7)

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

19. Committed sexual harassment as defined in Education Code 212.5. (Education Code 48900.2)
20. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 33032.5. (Education Code 48900.3)
21. 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 Glasswork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment (Education Code 48900.4)

(cf. 5145.3 -Nondiscrimination/Harassment)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent/principal or within any other school district, including but not limited to the following circumstances:

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.

The Superintendent/principal may use his/her discretion to provide alternatives to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program. (Education Code 48900(r))

cf. 5138 -Conflict Resolution/Peer Mediation)

Alternatives to suspension or expulsion will be used against students who are truant, tardy, or otherwise absent from assigned school activities.

(cf. 5113 -Absences and Excuses)

(cf. 5113.1 - Truancy)

Suspension from Class by a Teacher/Parental Attendance

A teacher may suspend any student from the teacher's class for any of the acts listed under "Grounds for Suspension and Expulsion" above for the day of the suspension and the day following. (Education Code 48910)

Suspension from class means the removal of a student from class by a teacher for the day of the suspension and the next day. A teacher may suspend a student from class and may also refer a student for consideration of suspension from school for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

When suspending a student from his/her class, the teacher shall immediately report this action to the principal and send the student to the principal for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been suspended.

As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the suspension. A counselor or psychologist should attend the conference if it is practicable, and a school administrator may attend if either the parent/guardian or teacher so request.

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

A student suspended from class shall not be placed in another regular class during the period of suspension. However, if a student is assigned to more than one class per day, he/she may be placed in any 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 suspended student to complete any assignments and tests missed during the suspension. (Education Code 48913)

When a teacher requires a parent/guardian to attend school in accordance with Board Policy, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is required pursuant to law. (Education Code 48900.1)

1. This notice shall also tell the parent/guardian when his/her presence is expected and by what means he/she may arrange any necessary change.
2. The notice shall describe the protections afforded to the parent/guardian as an employee by Labor Code 230.7.
3. The notice shall state that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student.

The teacher shall remind the parent/guardian to meet with the principal or designee after completing the classroom visit and before leaving school premises.

Suspension By Superintendent, Principal Or Principal's Designee

A Superintendent, principal, or principal's designee may suspend a student from a school for any of the acts listed under "Grounds for Suspension and Expulsion" above for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

The Superintendent or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife, as defined in Education Code 48915(g), at another person.

3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.

4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item 414 under "Grounds for Suspension and Expulsion" above.

5. Possession of an explosive as defined in 18 USC 921.

Suspension may be imposed upon a first offense if the Superintendent, principal or designee determines the student violated items (i) - (v) listed in "Grounds For Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903 and 48912)

Suspension Procedures

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the principal or designee or the Superintendent or designee between 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 and the evidence against him/her and shall be given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911(b))

This conference may be omitted if the principal, designee or the Superintendent or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or school personnel. If the pre-suspension conference is not held, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference will be held as soon as the student is physically able to return to school. (Education Code 48911(c))

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior

A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee, who in turn will inform the Board.

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 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 also state the date and time when the student may return to school.

Should school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may also add that state law requires the parent/guardian to respond to such request without delay.

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

While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such conference. The student may not be denied readmission solely because the parent/guardian failed to attend. (Education Code 48911)

5. Extension of Suspension: If the expulsion of a suspended student is being considered by the Board, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision. (Education Code 48911(g))

Any extension of the original period of suspension shall be 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. Extension of the suspension may be made only if 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(g))

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal or Principal's 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 if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. 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 may hold closed sessions if a public hearing would lead to disclosure of information which would violate a student's right to privacy under Education Code 49073-49079.

(cf. 9321 -Closed Session Purposes and Agendas)

The Board shall provide the student with written notice of the closed session by registered or certified mail. Upon receiving this notice the student 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 shall be in closed session. (Education Codes 48912)

Authority to Expel

A student may be expelled only by the Board. The Board shall expel, as required by law, any student found to have committed certain offenses listed below under "Mandatory Recommendation and Mandatory Expulsion."

The Board may also order a student expelled for any of the acts listed above under "Grounds for Suspension and Expulsion" upon recommendation by the principal, Superintendent, hearing officer or administrative panel, based on finding either or both of the following: (Education Code 48915(b) and (e))

1. That other means of correction are not feasible
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

Mandatory Recommendation For Expulsion

The principal, Superintendent or designee shall recommend a student's expulsion for any of the following acts, unless the principal or Superintendent or designee finds, and reports in writing to the Board, that expulsion is inappropriate due to particular circumstances which shall be set out in the report of the incident:

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife as defined in Education Code 48915(g), explosive 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 the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee.

Mandatory Recommendation And Mandatory Expulsion

The principal, Superintendent or designee shall recommend that the Board expel any student found at school or at a school activity off school grounds to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48915(c).1)
2. Brandishing a knife as defined in Education Code 48915(g) at another person. (Education Code 48915(c).2)
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058. (Education Code 48915(c).3)
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above. (Education Code 48915(c).4)
5. Possessing an explosive as defined in 18 USC 921.

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

Student's Right to Expulsion Hearing

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred. (Education Code 48918(a))

The student is entitled to 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 district's discretion. (Education Code 48918(a))

If the district finds it impracticable 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))

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

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 48915.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Education Code 48915.5)

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

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

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48915.5)

Written Notice of the Expulsion Hearing

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least ten 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. A parent/guardian of a student expelled for acts described in paragraphs through 4 of Education Code 48915(a), seeks enrollment in another district they must inform the new district of the student's status with the expelling district, pursuant to Education Code 48915.1.

(cf. 5119 -Students Expelled from Other Districts)

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

Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and Education Code 35145, the Board shall conduct the hearing or arrange for an alternative 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 request is made, the meeting shall be public

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to deliberate and determine if the student should be expelled. If the Board admits any other person to the closed session, the parent/guardian, the student, counsel of the student and counsel of the parent/guardian shall also be allowed to attend the closed session. (Education Code 48918(c))

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

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

3. Presentation of Evidence: While technical rules of evidence do not apply to such hearings, 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 must be supported by substantial evidence that the student committed any of the above acts listed under "Grounds for Suspension and Expulsion" above. Findings of fact shall be based solely on the evidence at the hearing.

While no evidence 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) and

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 Witness: The following procedures shall be observed when hearings involve allegations of sexual assault or sexual battery by a student: (Education Code 48918)

- a. Any complaining witness shall be given five days' notice before being called to testify.
- b. Any complaining witness shall be entitled to have up to two adult support persons, including but not limited to a parent/guardian or legal counsel, present during his/her testimony.
- c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- e. If one or both support persons are also witnesses, the hearing shall be conducted according to Penal Code 868.5.
- f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard.

Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.

g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.

(1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.

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

(3) The person conducting the hearing may:

- (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness.
- (b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
- (c) Permit one of the support persons to accompany the complaining witness to the witness stand.

6. Decision Within Ten Days: The Board's decision on whether to expel a student shall be made within ten school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

7. Decision Within 40 Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative 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. Alternatively, the Board may 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(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified in "Conduct of Expulsion Hearing" above.

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 student shall be immediately reinstated. (See "Reinstatement" below.) The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers and with the student's parent/guardian. (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))

The hearing officer or administrative panel may recommend that the Board suspend the expulsion for a period of one year. (See "Suspension of Expulsion" below.)

The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Stipulated Expulsions

It is the policy of the Redlands Unified School District that, where approved by the Superintendent or designee, parents/guardians may agree to the expulsion of their pupil by stipulation without necessity of a hearing. This process will expedite the pupil's school placement and may expedite the rehabilitation process.

A stipulated expulsion must be purely voluntary. No district administrator or staff member may coerce a pupil, parent or guardian into entering into such a stipulation. Parents/guardians will be given three calendar days to decide on a stipulated expulsion agreement.

If the parent/guardian requests a stipulated expulsion, the Superintendent or designee will promulgate the stipulated agreement. If at any time the parent/guardian decides not to pursue a stipulated agreement, the expulsion proceedings and timelines, extended by the length of the period for consideration of the stipulation, will be reinstated. The stipulated agreement will be presented to the Board for final consideration.

The stipulated agreement will include the terms and conditions of the expulsion order, including alternative placement and a rehabilitation plan to be completed before the student can be re-admitted to the district.

Final Action by the Board

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel, the final action to expel must be taken by the Board at a public meeting. (Education Code 48918(f)) The Board shall maintain a record of each expulsion, including its cause. Expulsion records shall be non-privileged, disclosable public records.

(cf. 9321.1 - Closed Session Actions and Reports)

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

Upon ordering the 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 an act listed under "Mandatory Recommendation and Mandatory Expulsion" above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. (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 of the student at the time of review for readmission.
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service and other rehabilitative programs.
3. Such other recommendations as the Board approves.

With parental 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)

Upon expulsion, a copy of readmission procedures will be made available to the student and his/her parent/guardian.

Written Notice to Expel

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

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed in Education Code 48900(a)-(o), Education Code 48900.2-48900.4 and Education Code 48915(c). (Education Code 48900.8)
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian. (Education Code 48916)
3. Notice of the right to appeal such expulsion to the County Board of Education. (Education Code 48918)
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion. (Education Code 48918)
5. The notice also shall inform the student or parent/guardian of his/her 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)

Suspension of Expulsion

The Board, upon voting to expel a student, may suspend the enforcement of the expulsion order for not more than one calendar year. When deciding whether to suspend an expulsion, the Board shall take into account the following criteria:

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

The suspension of the enforcement of an expulsion shall be governed by the following: (Education Code 48917)

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.
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status.
3. The suspension of expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion" above or violates any of the district's rules and regulations governing student conduct.
4. When suspension of expulsion order is revoked, a student may be expelled under the terms of the original expulsion order
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expungement of any or all records of the expulsion proceedings.
6. Suspension 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 of Education.
7. 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 also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education. (Education Code 48918(i))

Right to Appeal

The student or parent/guardian is entitled to file an appeal of the Board's decision to the County Board of Education.

The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion action is suspended and the student is placed on probation. (Education Code 48919)

Post-Expulsion Placements

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

(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for acts described in items #6 through # 13 and # 17 through # 19 under "Grounds for Suspension and Expulsion" above may be instead referred to a program of study that is provided at another comprehensive middle, junior, or senior high school, or at an elementary school.

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)

Reinstatement

When the Board accepts a recommendation against expulsion or makes its own decision after the hearing not to expel, the decision is final and the student shall be reinstated immediately. The Superintendent or designee shall place the student in any classroom program, other instructional program, rehabilitation program, or any combination of such programs following consultation with district personnel, including the teacher involved, and with the student's parent/guardian. (Education Code 48918(e))

Readmission

An expulsion order shall remain in effect until the Board may order the readmission of the student.

Readmission procedures shall be as follows:

1. A written request for review of expulsion action and request for readmission shall be submitted by the parent/guardian to the Superintendent or designee.
2. The Superintendent or designee will hold a conference with the parent/guardian and the student.
3. At the conference the conditions for readmission will be reviewed. The Superintendent or designee shall verify that the rehabilitation plan has been met.
4. School regulations will be reviewed and the student and parent/guardian will be asked to indicate in writing their willingness to comply with these regulations.
5. The Superintendent or designee will transmit the request for readmission to the Board, along with his/her recommendation. The Board shall consider the request in closed session if the information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it will be honored.
6. The Superintendent or designee will notify the student or parent/guardian, by registered mail, of the district's decision regarding readmission.
7. 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)
8. 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. (Education Code 48916)
9. 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)

Maintenance of Records

The Board will maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls, within five days of a written request by the admitting school. (Education Code 48900.8, 48918(k))

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

cf. 5119 - Students Expelled from Other Districts)

(cf. 5125 - Student Records)

Notifications and Reports

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

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 also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

Outcome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion.
2. The specific grounds for each recommended expulsion.
3. Whether the student was subsequently expelled.
4. Whether the expulsion order was suspended.
5. The type of referral made after the expulsion.
6. The disposition of the student after the end of the expulsion period.

Suspension and Expulsion/Due Process

Redlands Unified
Administrative Regulation
AR 51441
Adopted June 27, 1995
Students

Definitions

Suspension from school 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. Removal from a particular class shall not occur more than once every five school days.

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

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian or legal counsel. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

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, suspension and expulsion. Transfer students and their parents/guardians shall be notified at the time of enrollment. (Education Code 35291.5, 48900.1, 48980)
(cf. 5144 - Discipline)

Notification shall include information about the ongoing availability of individual school rules and all district policies and regulations pertaining to student discipline. (Education Code 35291)
(cf. 5145.6 - Parental Notifications)

Grounds for Suspension and Expulsion

A student may be subject to suspension or expulsion when it is determined that he/she:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense. (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aide or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code 48900(s))

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

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

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

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

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

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

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

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

10. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5. (Education Code 48900(j))

11. Disrupted school activities or otherwise willfully defied 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))

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

13. Possessed an imitation firearm, i.e., 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))

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

15. 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))

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

Pursuant to Education Code 48900.7, the making of a terrorist threat includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person or property damage in excess of \$1,000.00, 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.

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

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

Pursuant to Education Code 48900.2 the conduct constitutes harassment when considered from the perspective of a reasonable person of the same gender as the victim to be 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.

(cf. 5145.7 - Sexual Harassment)

18. 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)

(cf. 5145.9 - Hate-Motivated Behavior)

Education Code 233 defines "hate violence" as any act punishable under Penal Code 422.6, 442.7 or 422.75. Such acts include injuring or intimidating another person, interfering with the exercise of a person's civil rights, or damaging a person's property because of the person's race, color, religion, ancestry, national origin, disability, gender or sexual orientation.

19. Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading student rights by creating an intimidating or hostile educational environment. (Education Code 48900.4)

(cf. 5145.3 - Nondiscrimination/Harassment)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent or principal or within any other school district, including but not limited to the following circumstances: (Education Code 48900)

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.

The Superintendent or principal may use his/her discretion to provide alternative to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program. (Education Code 48900(r))

Alternatives to suspension or expulsion will be used with students who are truant, tardy, or otherwise absent from assigned school activities.

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Truancy)

Removal from Class by a Teacher/Parental Attendance

A teacher may suspend any student from his/her class for the remainder of the day and the following day for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

A teacher also may refer a student to the principal or designee for consideration of suspension from school. (Education Code 48910)

When removing a student from his/her class, the teacher shall immediately report this action to the principal and send the student to the principal for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been removed.

As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the removal. A counselor or psychologist should attend the conference if it is practicable, and a school administrator may attend if either the parent/guardian or teacher so requests.

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

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

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

Pursuant to Board policy, a teacher may provide that the parent/guardian of a student whom the teacher has removed attend a portion of a school day in his/her child's classroom. When a teacher makes this request, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is requested pursuant to law. (Education Code 48900.1)

This notice shall also:

1. Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternate date.
2. Describe the legal protections afforded to the parent/guardian as an employee under Labor Code 230.7.
3. State that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student.
4. Ask the parent/guardian to meet with the principal after the visit and before leaving school, as required by Education Code 48900.1.

Suspension by Superintendent, Principal or Principal's Designee

The Superintendent, principal or principal's designee may suspend a student from a school for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

The Superintendent or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife, as defined in Education Code 48915(g), at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion".
5. Possession of an explosive as defined in 18 USC 921.

Suspension also may be imposed upon a first offense if the Superintendent, principal or designee determines the student violated items #1-5 listed in "Grounds for Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903, 48912)

The Superintendent or designee may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which a student may be suspended in any school year. (Education Code 48903)

Suspensions shall be initiated according to the following procedures:

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the principal, designee or the Superintendent 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 and the evidence against him/her; the student shall be given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911(b))

This conference may be omitted if the principal, designee or the Superintendent determines that an emergency situation exists. An "emergency situation" involves 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 a conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference will be held as soon as the student is physically able to return to school. (Education Code 48911(c))

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee.

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 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 also state the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may add that state law requires the parent/guardian to respond to such requests without delay.

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

While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such conference. The student may not be denied readmission solely because the parent/guardian failed to attend. (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. (Education Code 48911(g))

Any extension of the original period of suspension shall be 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. Extension of the suspension may be made only if 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)

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal or Principal's 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 if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. 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 closed sessions if a public hearing would lead to disclosure of information violating a student's right privacy under Education Code 49073-49079.

(cf. 9321 - Closed Session Purposes and Agendas)

The Board shall provide the student and his/her parent/guardian with written notice of the closed session by or certified mail. 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 Codes 35146, 48912)

On-Campus Suspension Program

Students for whom an expulsion action has not been initiated and who pose no imminent danger or threat to the school may be assigned to a separate, supervised suspension classroom for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

1. The supervised suspension classroom shall be staffed in accordance with law.
2. The student shall have access to appropriate counseling services.
3. The supervised suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.
4. Each student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom. The teacher 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 a supervised 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 shall be made in writing. (Education Code 48911.1)

Authority to Expel

A student may be expelled only by the Board. The Board shall expel, as required by law, any student found to have committed certain offenses listed below under "Mandatory Recommendation and Mandatory Expulsion."

The Board also may order a student expelled for any of the acts listed under "Grounds for Suspension and Expulsion" upon recommendation by the principal, Superintendent, hearing officer or administrative panel, based on finding 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.

Mandatory Recommendation for Expulsion

Unless the principal, Superintendent or designee finds that expulsion is inappropriate due to particular circumstances, the principal, Superintendent or designee shall recommend a student's expulsion for any of the following acts: (Education Code 48915 (a))

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife as defined in Education Code 48915(g), explosive or other dangerous object of no reasonable use to the student.
3. Unlawful possession of any controlled substance, as listed in the Health and Safety Code 11053-11058, except for the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee.

Mandatory Recommendation and Mandatory Expulsion

Note: The Attorney General has determined, in 80 Ops.Cal. Atty. Gen. 347 (1997), that a district may not adopt a zero tolerance policy mandating expulsion of a student for a first offense of possession of a controlled substance or alcohol.

The principal, Superintendent or designee shall recommend that the Board expel any student found at school or at a school activity to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife as defined in Education Code 48915(g) at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above.
5. Possessing an explosive as defined in 18 USC 921.

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

The initial recommendation for consideration of expulsion is that of the school principal or the Superintendent. Designees may not make this type of recommendation.

The recommendation for consideration of expulsion shall be submitted to the Director, Office of Student Services, who will review the material and recommend:

1. Reassignment to appropriate regular education program.
2. Refer student to Alternative Program; i.e., Community School, Independent Study, Continuation or Opportunity School, or other district programs.
3. Refer the matter to the Discipline Review Panel for further consideration.

When a case is referred to the discipline Review Panel, the panel shall question school personnel who have information on the incident and the behavior record of the student charged and weighs the evidence presented.

The panel shall, in the case of an expulsion consideration, weigh information presented to determine:

- a. Is the evidence sufficient to support consideration by the expulsion panel?
- b. Has the district, through the schools involved, considered or utilized alternatives to expulsion when possible?
- c. Have due process procedures been adhered to?

The recommendation shall be either to proceed with the expulsion or to utilize an existing practical alternative in lieu of expulsion.

If the district (school) has not adhered to due process requirements, the student shall be returned to school immediately.

If the Discipline Review Panel meets to consider a matter other than an expulsion, it shall provide its best judgment as to an effective alternative program or plan to action.

The recommendation of the Discipline Review Panel shall be forwarded to the Director, Office of Student Services, who shall then review the facts, concur, veto or modify the recommendation.

4. That an expulsion panel be convened.

At the time a recommendation for expulsion is submitted, a hearing shall be scheduled by the Superintendent or designee to determine whether the suspension shall be extended. If the decision is to extend the suspension, the period of time shall be until the Board has rendered a decision or until the expulsion process is otherwise terminated.

The extension of suspension shall be based upon determination by the Superintendent or designee that the presence of the student at the school or in an alternative school placement would cause a danger to persons or property or a threat of disrupting the instructional process. This extension shall be imposed only after the student and the parent/guardian have been given the opportunity to be present at a hearing conducted by the Superintendent or designee. At this time, the student and parent/guardian shall be given the opportunity to be heard and present any information that might bear upon the decision.

Materials which support the decision of the person recommending the expulsion shall be prepared and submitted to the Office of Student Services. The departments of Attendance, Guidance, Special Education and/or Health may be requested to assist in the preparation of this material.

Student's Right to Expulsion Hearing

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred. (Education Code 48918 (a))

The student is entitled to 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 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 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 no 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))

Waiver of Hearing (Default Proceedings)

If the parent/guardian agrees that their son/daughter behaved essentially in the manner stated in the principals letter recommending expulsion and that such behavior constitutes a violation of the California Education Code, Section 48900, 48900.2, 48900.3, 48900.4, 48900.7 and/or 48915 a suspendable/expellable offense, the parent/guardian may request to waive the Administrative Hearing Panel.

When the parent/guardian agrees to waive the Administrative Hearing Panel, they also waive all notification and timelines related to the expulsion hearing process, along with their rights to appeal the determination of the Board.

The signed affidavit and findings of fact will be submitted to the Board for their approval. The Board has the discretionary power to accept, reject, or modify all recommendations.

Rights of Complaining Witness

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

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

1. Receive five days' notice of his/her scheduled testimony at the hearing.
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies.
3. Have a closed hearing during the time he/she testifies.

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

Written Notice of the Expulsion Hearing (Education Code 48918(b))

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

1. The date and place of the hearing.
2. A statement of the specific facts, charges and offense upon which the proposed expulsion is based.
3. A copy of district disciplinary rules which relate to the alleged violation.
4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment. This obligation applies when a student is expelled for acts other than those described in Education Code 48915 (a) or (c).
(cf. 5119 - Students Expelled from other Districts)

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

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

Non-attorney advisor 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.

Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and 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 request is made, the meeting shall be public, unless another student's privacy rights would be violated.

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to determine if the student should be expelled. If the Board admits any other person to the closed session, the parent/guardian, the student, and the counsel of the student, shall also be allowed to attend the closed session. (Education Code 48918(c))

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

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

3. Subpoenas: Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with the Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20, formerly 11525. (Education Code 48918(i))

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

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

4. Presentation of Evidence: While technical rules of evidence do not apply to expulsion hearings, 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 must be supported by substantial evidence that the student committed any of the acts listed in "Grounds for Suspension and Expulsion" above.

Findings of fact shall be based solely on the evidence at the hearing. While no evidence 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) and (h))

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

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

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

6. Decision Within 10 Days: The Board's decision on whether to expel a student shall be made within 10 school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

7. Decision Within 40 Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

Instead of conducting an expulsion hearing itself, the Board may contract with the county hearing officer or with the Office of Administrative Hearings of the State of California for a hearing officer. Alternatively, the Board may 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(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified in "Conduct of Expulsion Hearing."

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 student shall be immediately reinstated. (See "Reinstatement.") The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers, and with the student's parent/guardian. (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 for a period of one year. (See "Decision Not to Enforce Expulsion Order" below.)

The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

The Discipline Review Panel

The Discipline Review Panel will consist of elementary educators when a review is being made of an elementary student and of secondary educators when a review is being made of secondary student.

1. The Discipline Review Panel shall hear the following types of disciplinary cases:
 - a. Requests for expulsion from site principals or the Superintendent.
 - b. School site administrative requests for assistance (non-expulsion situations).
2. Each discipline review panel shall consist of three certificated persons plus a chairperson and shall consist of elementary educators when a review is being made of an elementary student and of secondary educators when a review is being made of a secondary student. A panelist may not serve on any panel involving a student who is currently attending the school in which he/she is assigned. A representative from Student Services shall be a nonvoting member of each panel.

A chairperson and assistant chairperson, to serve when the chairperson is unable to serve, shall be appointed by the Superintendent or designee and shall serve at his/her pleasure. Neither shall be a member of the Student Services staff.

A pool of panelists shall be established which shall be composed of personnel who have served or are currently serving as members of administrative expulsion panels. The committee chairman shall select members to serve on individual panels.

The meetings of the discipline review panel are open to school district personnel only.

The duties of the Discipline Review Panel are as follows:

1. The chairperson shall call a meeting of the panel as soon as possible, but no later than 10 school days after the receipt of notice of a pending case.
2. A recommendation must be forwarded to the Director, Office of Student Services, within three days of the review hearing.
3. In the event a member of the committee cannot be present at a meeting, the Director, Office of Student Services, will appoint an alternate from the pool to attend.

Final Action by the Board

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

(cf. 9321.1 - Closed Session Actions and Reports)

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

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 an act listed under “Mandatory Recommendation and Mandatory Expulsion” above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. (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 of the student at the time of review for readmission.
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service and other rehabilitative programs.

With parental 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 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 in Education Code 48900 (a)-(o), Education Code 48900.2-48900.4, Education Code 48915 (c) and (Education Code 48900.8).
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian. (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Governing Board. (Education Code 48918)
4. Notice of the alternative educational placements 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 Not to Enforce Expulsion Order

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

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

The suspension of the enforcement of an expulsion shall be governed by the following: (Education Code 48917)

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.
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status.
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” above or violates any of the district’s rules and regulations governing student conduct.
4. When the suspension of the enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order.
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings.
6. 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 County Board of Education.

7. 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 also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education. (Education Code 48918 (j))

Right to Appeal

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

Post-Expulsion Placements

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

(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for acts described in items #6 through #13 and #17 through #19 under "Grounds for Suspension and Expulsion" may be instead 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

Readmission procedures shall be as follows:

1. On the date set by the Board when it ordered the expulsion, the district shall consider readmission of the student. (Education Code 48916)
2. 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.
3. The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session if information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it shall be honored.
4. 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.
5. 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)
6. 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. (Education Code 48916)
7. 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)

Maintenance of Records

The Board shall maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls, within five days of a written request by the admitting school. (Education Code 48900.8, 48918(k))

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

(cf. 5119 - Students Expelled from Other Districts)

(cf. 5125 - Student Records)

Notifications 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 also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

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

Ouome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion.
2. The grounds for each recommended expulsion.
3. Whether the student was subsequently expelled.
4. Whether the expulsion order was suspended.
5. The type of referral made after the expulsion.
6. The disposition of the student after the end of the expulsion period.

Regulation: REDLANDS UNIFIED SCHOOL DISTRICT

Approved: June 27, 1995, Redlands, California

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

Pursuant to legislative Bill AB29 and Education Code Section 49079, Highland Grove notifies teachers, in writing, of their legal right to review the cumulative file of each pupil assigned to their classroom, who has engaged in, or is reasonably suspected to have engaged in, any of the acts described in any of the subdivisions, except subdivision (h), of Section 48900.

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

Policy 4119.11: Sex Discrimination and Sex-Based Harassment

The Governing Board is committed to providing a safe work environment that is free of harassment and intimidation. The Board prohibits sexual harassment against district employees by anyone, in any manner, and prohibits retaliatory action or behavior against any persons who complains, testifies, or otherwise participates in the complaint process established pursuant to this policy and accompanying administrative regulation. This policy shall apply to all district employees, interns, volunteers, contractors, job applicants, and other persons with an employment relationship with the district.

(cf. 0410 - Nondiscrimination in District Programs and Activities) (cf. 4030 - Nondiscrimination in Employment)

Sexual harassment includes, but is not limited to, harassment that is based on the sex, gender, gender identity, gender expression, or sexual orientation of the victim and harassment based on pregnancy, childbirth, or related medical conditions.

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation, and correction of sexual harassment, including but not limited to:

1. Providing training to all staff in accordance with law and administrative regulation.
2. Publicizing and disseminating the district's sexual harassment policy to staff.
3. Ensuring prompt, thorough, equitable, and fair investigation of complaints
4. Taking timely and appropriate corrective/remedial actions which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments.

The Superintendent or designee shall periodically evaluate the effectiveness of the district's strategies to prevent and address harassment. Such evaluation may involve conducting regular anonymous employee surveys to assess whether harassment is occurring or is perceived to be tolerated, partnering with researchers or other agencies with the needed expertise to evaluate the district's prevention strategies, and using any other effective tool for receiving feedback on systems and/or processes. As necessary, changes shall be made to the harassment policy, complaint procedures, or training.

Sexual Harassment Reports and Complaints

Any district employee who feels that he/she has been sexually harassed in the performance of their district responsibilities or who has knowledge of any incident of sexual harassment by or against another employee shall immediately report the incident to his/her supervisor, the principal, other district administrator, or the district's Title IX Coordinator. However, an employee may bypass his/her supervisor in filing a complaint if the supervisor is the subject of the complaint. A supervisor, principal, or district administrator who receives a harassment complaint shall promptly notify the Title IX Coordinator.

Once notified, the Title IX Coordinator shall ensure the complaint or allegation is addressed through AR 4119.12/4219.12/4319.12 – Title IX Sexual Harassment Complaint Procedures or AR 4030- Nondiscrimination in Employment, as applicable. Because a complaint or allegation that is dismissed or denied under the Title IX complaint procedure may still be subject to consideration under state law, the Title IX Coordinator shall ensure that any implementation of AR 4119.12/4219.12/4319.12 concurrently meets the requirements of AR 4030.

Notwithstanding the above, BP/AR 4119.12/4219.12/4319.12 and 4030 shall under no circumstances be used to resolve complaints brought by, on behalf of, or against students. All complaints brought by, on behalf of, or against students that allege “sexual harassment” as that term is defined in the federal regulations implementing Title IX of the Education Amendments of 1972 (see 34 C.F.R. § 106, et seq.) shall be investigated and resolved under BP/AR 5145.71. All complaints brought by, on behalf of, or against students that do not meet the definition of “sexual harassment” as set forth in the Title IX implementing regulations shall be investigated and resolved under BP/AR 1312.3.

(cf. 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaints)

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

Upon investigation of a sexual harassment complaint, any district employee who engages, or participates in sexual harassment, or who aids, abets, incites, compels, or coerces another to commit sexual harassment in violation of this policy is subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Reports) (cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4218 -

Dismissal/Suspension/Disciplinary Action)

Regulation 4119.12: Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures

The complaint procedures described in this administrative regulation shall be used to address any complaint governed by Title IX of the Education Amendments of 1972 alleging that a district employee, while in an education program or activity in which a district school exercises substantial control over the context and respondent, was subjected to one or more of the following forms of sexual harassment: (34 CFR 106.30, 106.44)

1. A district employee conditioning the provision of a district aid, benefit, or service on a person's participation in unwelcome sexual conduct
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291 (cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

All other sexual harassment complaints or allegations shall be investigated and resolved in accordance with AR 4030

- Nondiscrimination in Employment. The determination of whether the allegations meet the definition of sexual harassment under Title IX shall be made by the district's Title IX Coordinator.

(cf. 4030 - Nondiscrimination in Employment)

Because the complainant has a right to pursue a complaint under AR 4030 for any allegation that is dismissed or denied under the Title IX complaint procedure, the Title IX Coordinator shall ensure that all requirements and timelines for AR 4030 are concurrently met while implementing the Title IX procedure.

Reporting Allegations/Filing a Formal Complaint

An employee who is the alleged victim of sexual harassment may submit a report of sexual harassment to the district's Title IX Coordinator using the contact information listed in AR 4119.11/4219.11/4319.11 - Sexual Harassment or to the employee's direct supervisor or other district administrator, who shall forward the report to the Title IX Coordinator within one day of receiving the report. Upon receiving such a report, the Title IX Coordinator shall inform the complainant of the right to file a formal complaint and the process for filing a formal complaint.

A formal complaint, with the complainant's physical or digital signature, may be filed with the Title IX Coordinator in person, by mail, by email, or by any other method authorized by the district. (34 CFR 106.30)

Even if the alleged victim chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations when a safety threat exists. In addition, the Title IX Coordinator may file a formal complaint in other situations as permitted under the Title IX regulations, including as part of the district's obligation to not be deliberately indifferent to known allegations of sexual harassment. In such cases, the Title IX Coordinator shall provide the alleged victim notices as required by the Title IX regulations at specific points in the complaint process.

The Title IX Coordinator, investigator, decision-maker, or a facilitator of an informal resolution process shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. Such persons shall receive training in accordance with 34 CFR 106.45. (34 CFR 106.45)

Supportive Measures

Upon receipt of a report of Title IX sexual harassment, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures and shall consider the complainant's wishes with respect to the supportive measures implemented. Supportive measures shall be offered as appropriate, as reasonably available, and without charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures shall be nondisciplinary, nonpunitive, and not unreasonably burden the other party, including measures designed to protect the safety of all parties or the district's educational environment or to deter sexual harassment. Supportive measures may include, but are not limited to, counseling, extensions of deadlines, modifications of work schedules, mutual restrictions on contact, changes in work locations, leaves of absence, increased security, and monitoring of certain areas of the campus. (34 CFR 106.30, 106.44)

The district shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the district's ability to provide the supportive measures. (34 CFR 106.30)

Emergency Removal

If a district employee is the respondent, the employee may be placed on administrative leave during the pendency of the formal complaint process. (34 CFR 106.44)

If the respondent is a student, the district may, on an emergency basis, remove the student from the district's education program or activity, provided that the district conducts an individualized safety and risk analysis, determines that removal is justified due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations, and provides the student with notice and an opportunity to challenge the decision immediately following the removal. This authority to remove a student does not modify a student's rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973. (34 CFR 106.44)

Dismissal of Complaint

The Title IX Coordinator shall dismiss a formal complaint if the alleged conduct would not constitute sexual harassment as defined in

34 CFR 106.30 even if proved. The Title IX Coordinator shall also dismiss any complaint in which the alleged conduct did not occur in the district's education program or activity or did not occur against a person in the United States, and may dismiss a formal complaint if the complainant notifies the district in writing that the complainant would like to withdraw the complaint or any allegations in the complaint, the respondent is no longer employed by the district, or sufficient circumstances prevent the district from gathering evidence sufficient to reach a determination with regard to the complaint. (34 CFR 106.45)

Upon dismissal, the Title IX Coordinator shall promptly send written notice of the dismissal and the reasons for the dismissal simultaneously to the parties and shall inform them of their right to appeal the dismissal of a formal complaint or any allegation in the complaint in accordance with the appeal procedures described in the section "Appeals" below. (34 CFR 106.45)

If a complaint is dismissed, the conduct may still be addressed pursuant to AR 4030 - Nondiscrimination in Employment as applicable.

Informal Resolution Process

When a formal complaint of sexual harassment is filed, the district may offer an informal resolution process, such as mediation, at any time prior to reaching a determination regarding responsibility. The district shall not require a party to participate in the informal resolution process or to waive the right to an investigation and adjudication of a formal complaint. (34 CFR 106.45)

The district may facilitate an informal resolution process provided that the district: (34 CFR 106.45)

1. Provides the parties with written notice disclosing the allegations, the requirements of the informal resolution process, the right to withdraw from the informal process and resume the formal complaint process, and any consequences resulting from participating in the informal resolution process, including that records will be maintained or could be shared.
2. Obtains the parties' voluntary, written consent to the informal resolution process

Written Notice

If a formal complaint is filed, the Title IX Coordinator shall provide the known parties with written notice of the following: (34 CFR 106.45)

1. The district's complaint process, including any informal resolution process
2. The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known. Such notice shall be provided with sufficient time for the parties to prepare a response before any initial interview. If, during the course of the investigation, new Title IX allegations arise about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.
3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process
4. The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an attorney, and the ability to inspect and review evidence
5. The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process

The above notice shall also include the name of the investigator, facilitator of an informal process, and decision-maker and shall inform the parties that, if at any time a party has concerns regarding conflict of interest or bias regarding any of these persons, the party should immediately notify the Title IX Coordinator.

Investigation Procedures

During the investigation process, the district's designated investigator shall: (34 CFR 106.45)

1. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and

exculpatory evidence

2. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence
3. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney
4. Not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding, although the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as the restrictions apply equally to both parties
5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate
6. Send in an electronic format or hard copy to both parties and their advisors, if any, the evidence obtained as part of the investigation that is directly related to the allegations raised in the complaint, and provide the parties at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report
7. Objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and determine credibility in a manner that is not based on a person's status as a complainant, respondent, or witness
8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review and written response

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. (34 CFR 106.45)

Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.

If the complaint is against an employee, rights conferred under an applicable collective bargaining agreement shall be applied to the extent they do not conflict with the Title IX requirements.

Written Decision

The Superintendent shall designate an employee as the decision-maker to determine responsibility for the alleged conduct, who shall not be the Title IX Coordinator or a person involved in the investigation of the matter. (34 CFR 106.45)

After the investigative report has been sent to the parties but before reaching a determination regarding responsibility, the decision-maker shall afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party.

The decision-maker shall issue, and simultaneously provide to both parties, a written decision as to whether the respondent is responsible for the alleged conduct. (34 CFR 106.45)

The written decision shall be issued within 60 calendar days of the receipt of the complaint.

The timeline may be temporarily extended for good cause with written notice to the complainant and respondent of the extension and the reasons for the action. (34 CFR 106.45)

In making this determination, the decision-maker shall use the "preponderance of the evidence" standard for all formal complaints of sexual harassment. (34 CFR 106.45)

The written decision shall include the following: (34 CFR 106.45)

1. Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR 106.30

2. A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the district includes hearings as part of the grievance process
3. Findings of fact supporting the determination
4. Conclusions regarding the application of the district's code of conduct or policies to the facts
5. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's educational program or activity will be provided by the district to the complainant
6. The district's procedures and permissible bases for the complainant and respondent to appeal

Appeals

Either party may appeal the district's decision or dismissal of a formal complaint or any allegation in the complaint, if the party believes that a procedural irregularity affected the outcome, new evidence is available that could affect the outcome, or a conflict of interest or bias by the Title IX Coordinator, investigator(s), or decision-maker(s) affected the outcome. If an appeal is filed, the district shall: (34 CFR 106.45)

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties
2. Ensure that the decision-maker(s) for the appeal is trained in accordance with 34 CFR 106.45 and is not the same decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator
3. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome
4. Issue a written decision describing the result of the appeal and the rationale for the result
5. Provide the written decision simultaneously to both parties

An appeal must be filed in writing within 10 calendar days of receiving the notice of the decision or dismissal, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered.

A written decision shall be provided to the parties within 20 calendar days from the receipt of the appeal.

Either party has the right to file a complaint with the U.S. Department of Education's Office for Civil Rights within 180 days of the date of the most recently alleged misconduct.

The complainant shall be advised of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal antidiscrimination laws, if applicable.

Remedies

When a determination of responsibility for sexual harassment has been made against the respondent, the district shall provide remedies to the complainant. Such remedies may include the same individualized services described above in the section "Supportive Measures," but need not be nondisciplinary or nonpunitive and need not avoid burdening the respondent. (34 CFR 106.45)

Disciplinary Actions

The district shall not impose any disciplinary sanctions or other actions against a respondent, other than supportive measures as described above in the section "Supportive Measures," until the complaint procedure has been completed and a determination of responsibility has been made. (34 CFR 106.44)

When an employee is found to have committed sexual harassment or retaliation, the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Report)

(cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4119.11/4219.11/4319.11 - Sexual Harassment) (cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Record-Keeping

The Superintendent or designee shall maintain, for a period of seven years: (34 CFR 106.45)

1. A record of all reported cases and Title IX investigations of sexual harassment, any determinations of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary sanctions imposed, any remedies provided to the complainant, and any appeal or informal resolution and the results therefrom.
2. A record of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment, including the district's basis for its conclusion that its response was not deliberately indifferent, the measures taken that were designed to restore or preserve equal access to the education program or activity, and, if no supportive measures were provided to the complainant, the reasons that such a response was not unreasonable in light of the known circumstances.
3. All materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process. The district shall make such training materials publicly available on its web site, or if the district does not maintain a web site, available upon request by members of the public.

(cf. 1113 - District and School Web Sites) (cf. 3580 - District Records)

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

Policy 5132.16: Student Dress Guidelines

The Governing Board believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Students' clothing must not present a health or safety hazard or a distraction which would interfere with the educational process.

Students and parents/guardians shall be informed about dress and grooming standards at the beginning of the school year and whenever these standards are revised. A student who violates these standards shall be subject to appropriate 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 dress code may be included as part of the school safety plan and must be presented to the Board for approval. The Board shall approve the plan upon determining that it is necessary to protect the health and safety of the school's students.

The Board recognizes that, in order to promote student safety and discourage peer rivalry and/or gang activity, the principal, staff and parent/guardian at a school site may wish to establish a reasonable dress code, which may include voluntary school uniforms.

Dress codes, which include voluntary school uniforms, may be included as part of the school safety plan submitted as required.

The Superintendent or designee shall establish procedures that schools, parents and guardians will follow if they decide to participate with the voluntary school uniform policy. Students shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardian decide not to participate.

The Governing Board feels that there is nothing inherently wrong with dress or color of dress, but when student's dress serves to intimidate or impede the rights of other students it will be determined that dress is in violation of this policy. A student may not remain at school dressed in a manner which (1) creates a safety hazard for said student or for other students at school, and/or (2) when the dress constitutes a serious and unnecessary distraction to the learning process or tends to disrupt campus order

When the site administrator/designee determines that a student's attire is in violation of this policy, the student will be required to modify his/her clothing and/or apparel in such a manner that it no longer violates this policy. If necessary, the student may be taken or sent home with parental permission to modify unacceptable dress and return to school. Refusal to take steps as described in this policy shall be cause for disciplinary action against the student. Any such disciplinary action shall be handled pursuant to existing student disciplinary policy

Parents/guardians have primary responsibility to see that students are properly attired for school. School district personnel have the responsibility for maintaining proper and appropriate conditions conducive to learning. Hence, the following guidelines will be implemented in all district schools.

1. Shoes will be worn at all times. A substantial sole is required and enclosed toe and heel footwear are highly encouraged.
2. Extremely brief garments that are distracting to the educational environment are not appropriate. Clothing shall be sufficient to conceal undergarments at all times.
3. Clothing or accessories shall be free of writing, pictures or any other insignia which are crude, violent, obscene or sexually suggestive or which advocate racial, ethnic or religious prejudice or the use of tobacco, drugs or alcohol.
4. Earrings, jewelry, or accessories which present a safety hazard to the wearer or others are not suitable for school wear.
5. Only prescription sunglasses may be worn in class. Other types of sunglasses may be worn on campus outside of class.
6. Identified gang attire such as bandannas, haircuts or hair rollers, or any gang paraphernalia are prohibited.

Students are allowed to wear sun protective clothing, including hats, while outdoors during the school day. Each school site will develop a policy indicating the type of sun protective hats that are permitted.

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

The purpose of adopting these Student Dress Guidelines is not to infringe on any individual student's rights to freedom of expression, but rather to encourage students to dress appropriately and come to school properly prepared for participating in the educational process.

Gang-Related Apparel

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed as needed and updated as necessary.

Uniforms

In schools where a majority of parents respond and indicate on a survey that they desire to establish a voluntary school-wide uniform dress code, the principal, staff and the parents/guardians of the individual school site shall:

1. Jointly select the specific uniform to be worn. (Education Code 35183)
2. Describe the uniform parts and identify local vendors who sell those pieces of clothing. A description of the implementation of the voluntary uniform dress code will be submitted to the superintendent's designee including:
 - a. The process for parent notification
 - b. Positive procedures that will be used to encourage students to participate with the voluntary uniform dress code
3. A description of the uniform and a list of costs for each competitively priced item of clothing as provided by a variety of vendors will be sent to parents.
4. Parents will be notified that this is a voluntary uniform dress code and that students not participating shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardians so decide.

Parent Notification

The principal shall give parents/guardian at least six months notice before a school site implements a voluntary school uniform dress code. (Education Code 35183)

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

Highland Grove maintains three points of ingress and egress to the campus.

Orange Street Main entrance/exit:

At arrival and dismissal, students may enter/exit the main entrance doors accessed from the main parking lot shared by Highland Grove and Beattie Middle School. Cones are set up in the common driveway to separate traffic for each school and direct cars to their designated drive-thru lanes. Administrators, campus monitors, and/or teachers are present to direct traffic and guide students through the doors. Students may arrive at 7:15am for breakfast, or 7:25am for entrance to the quad and classrooms area. The main doors leading to the common quad area are closed and locked from 8:00am to 1:45pm for security purposes, requiring all foot traffic to check-in and enter/exit through the office.

Eucalyptus Avenue entrance/exit:

At arrival, students may enter/exit from the gates accessed from Eucalyptus Avenue. The gates are opened for arriving students at 7:25am and supervised by an administrator, campus monitor, and/or a teacher, who direct traffic and guide students through the gates. The gates are closed at 7:45am daily and remain closed until 1:55pm for dismissal. Supervision is again present to direct traffic and guide students to their vehicles.

Orange Street Bus loop exit:

The Orange Street bus loop drive-thru area is the access lane and pick-up location for school buses and day-care vans/vehicles. The area is supervised by an administrator, campus monitor, or a teacher.

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

Component:

Physical Environment

The Schools' Location and Physical Environment

Highland Grove Elementary is located in the Highland area of San Bernardino County that has an average crime rate and low poverty level. The immediate area around the school includes a shared campus with Beattie Middle School. Furthermore, Highland Grove is surrounded by a residential area as well as a major thoroughfare (Greenspot) road on the west side of campus. The grass fields that are on the west side of Highland Grove and Beattie campuses are also a shared park with the City of Highland. Highland Grove is a secured campus with single point of entry into the school site when school is in session. Present safety hazards include Significant traffic on Greenspot Road as well as a large campus to patrol and ensure is secure.

Description of School Grounds

The school site encompasses 4 plus acres. The grounds are grass, concrete and asphalt and includes basketball, four-square courts, a play structure, and tether balls. There are several wings and/or clusters of classrooms including 26 classrooms, 0 re-locatable classrooms. Other ancillary structures include a shared building with the County of San Bernardino which houses personnel that service the visually impaired students in the surrounding areas.

During the school day, staff members and administrators shall provide campus supervision. Identified problem areas receive increased supervision to reduce discipline, crime, or other school safety concerns.

It shall be the practice of Highland Grove Elementary to remove all graffiti from school property before pupils arrive to begin their school day. Other acts of vandalism are promptly addressed.

Maintenance of School Buildings/Classrooms

The school's physical facility is well maintained and generally looks neat and clean. The school was built in 2005 and was most recently painted in the 2020 school year. District personnel periodically examine the school's physical facility and help eliminate obstacles to school safety. Additionally, health and fire department inspectors contribute to school safety.

The Highland Fire Department makes regular visits and inspections of our fire system.

Internal Security Procedures

Highland Grove Elementary has established procedures in the following areas: California Safe School Assessment (CSSA) reporting procedures, suspension and expulsion procedures, inventory system, and parent notification procedures.

Highland Grove Elementary crime statistics reflect a total of 0 crimes reported during the 2023-24 school year.

Keeping reportable crimes at a minimum requires constant vigilance. The following strategies will be utilized in achieving this goal: continuous monitoring of security cameras as well as collaboration with Beattie Middle School campus safety officers and a daily routine inspection of campus/facilities.

Highland Grove Elementary maintains a copy of the district's sexual harassment policy in the main office/principal's office, in all classrooms, bathrooms, and common areas and the policy is available on request. The District's Sexual Harassment Policy contains dissemination plans, applicable definitions, reporting requirements, investigation procedures, enforcement regulations, and information related to suspension and/or expulsion for sexual harassment of or by pupils. Additionally, a notice summarizing this sexual harassment policy appears in the Parent & Student Handbook, the parent student handbook is distributed at the beginning of each school year to all parents and pupils.

To ensure the safety of pupils and staff, all visitors to the campus, except pupils of the school and staff members, shall register immediately upon entering any school building or grounds when school is in session. District employees, not assigned to Highland Grove Elementary shall wear appropriate identification badges while on campus conducting business.

Discipline procedures shall focus on finding the cause of problems and working with all concerned to reach the proper, lawful solutions. The school's discipline plan begins at the classroom level. Teachers shall use a visible classroom management plan to communicate classroom rules, promote positive pupil conduct, and reduce unacceptable conduct. Appropriate consequences are administered based on the seriousness of the pupil's misbehavior.

Pupil conduct standards and consequences for Highland Grove Elementary are specifically described in this Comprehensive Schools Safety Plan including: (a) the adopted school discipline rules and procedures, (b) District Disciplinary Guidelines, and (c) the adopted school-wide dress code.

Pupils may be suspended, transferred to another school, or recommended for expulsion for certain acts. For specific student violations, a mandatory expulsion recommendation shall be submitted by the administration of Highland Grove Elementary.

Site administrators contribute to a positive school climate, promote positive pupil behavior, and help reduce inappropriate conduct. The principal/designee uses available district and other appropriate records to inform teachers of each pupil identified under E.C. 49079.

Law enforcement is contacted and consulted to help maintain and to promote a safe and orderly school environment. Highland Grove Elementary employees comply with all legal mandates, regulations, and reporting requirements for all instances of suspected child abuse.

If appropriate, additional internal security procedures affecting the integrity of the school facility include viewing of security cameras as well as a secure campus with one entrance and use of Raptor check-in for any campus visitors and all staff members.

Community involvement is encouraged to help increase school safety.

Safety information is provided for students, and parents are provided with support from the PTA, Highland fire department, Highland Sheriff Department and School Safety Committee.

Inventory System - Engraved ID, Security Storage

Most school-site equipment has a metal ID tag, or a bar code sticker adhered to its surface. These items are inventoried annually and there is an established accountability system. Office and classroom supplies are secured.

Element:

Goal:

Highland Grove will develop a welcoming and safe learning community for all families and students to continue to develop our student's social emotional learning and academic success to prepare them for college and career readiness.

Opportunity for Improvement:

Areas of improvement:

Providing families with workshops, campus events, a clean and welcoming environment, and maintaining or improving the campus grounds to ensure the school is safe and inviting for all students.

Objectives	Action Steps	Resources	Lead Person	Evaluation
Desired change: increase parent awareness of school procedures and attendance at events.	<p>Related Strategies and Activities:</p> <ol style="list-style-type: none"> 1. Survey families about how they access information coming home from school 2. Getting input from all community members about perceived needs and types of events they would like to see. 	<p>Resources Required:</p> <ol style="list-style-type: none"> 1. Time to create a survey and analyze results 	Lead: Administration, Safety Team, PTA	<p>Evaluation criteria:</p> <ol style="list-style-type: none"> 1, Completed survey by 11/24 2. Action plan created by 1/25, 3. Re-survey for effectiveness by end of 24-25 school year.
<p>Desired change:</p> <p>Develop a plan to involve community members in improving campus areas such as a working pond, weeding, shrub maintenance, campus beautification, family events, and creating additional outside Learning areas.</p>	<p>Related Strategies and Activities:</p> <ol style="list-style-type: none"> 1. Plan community events utilizing district and families 2. Working with the M&O to develop a plan for learning areas 3. Getting the families' and the communities' input 	<p>Resources Required:</p> <ol style="list-style-type: none"> 1. Volunteer days for campus clean-ups 2. Finding professionals to support or install items 3. Tools 4. Fundraising for additional items with our PTA 	Lead: PTA, Parent groups, administration	<p>Evaluation criteria:</p> <ol style="list-style-type: none"> 1. Develop a plan by 12/24

Component:

Social Environment/School Climate

Leadership at Highland Grove Elementary is a shared process. A proactive role is assumed in all phases of the school operation. The current management team is committed to developing Highland Grove Elementary toward excellence in the areas of academic and social behavior.

The principal sets a positive tone for the school, guides the staff and works closely with them on curriculum and school safety issues. The school site's organizational structure is open and flexible, contributing to sensitivity concerning school safety issues and promoting a safe, orderly school environment conducive to learning.

Disaster Procedures, Routine and Emergency

A contingency plan for emergencies is contained in a handbook available to each staff member. The District's Emergency Response Plan - (ERP Plan) is listed at the last section of this plan. The plan is reviewed at the beginning of each school year. This plan also contains available district and outside agency resources, emergency disaster procedures and information on Standardized Emergency Management System (SEMS).

Classroom Organization and Structure

Highland Grove Elementary teachers provide a varied learning environment in their classrooms. Teachers use a variety of teaching strategies including District adopted core curriculum supplemented by Accelerated Reader, and Freckle. Additionally, Highland Grove is staffed with a full-time SAI teacher to support the needs of our students requiring specialized academic instruction through our Special Education program, as well as a full-time paraprofessional. Highland Grove also has a part-time school psychologist and speech and language pathologist as well as a full-time elementary counselor who supports in meeting the needs of all of our students. Teachers also utilize Direct Interactive Instruction, intensive math strategies, and manipulatives, as well as the incorporation of robotics, coding, Lego, digital storytelling, and STEM/STEAM to engage students and to best support academic instruction.

The teachers at Highland Grove Elementary are highly qualified, with many teachers holding advanced degrees. The staff is united in their desire to provide quality education for all pupils. Classrooms and teachers provide safe, orderly learning environments, enhance the experiences of learning, and promote positive interactions amongst pupils and staff. Instructional time is maximized, and disruptions are minimized.

The School's Cultural Environment

There is a high level of cohesiveness among the staff members at Highland Grove Elementary. Cooperation and support between teachers and the administration is evident. Efforts are made by the administration and staff to show concern for all pupils.

All pupils are expected to behave in a manner that promotes safety and order. Pupils are encouraged to bring problems to the principal, assistant principal, counselor, teacher or other staff members. The everyday goal is for the staff to be proactive rather than reactive in all situations of concern.

The academic and behavioral efforts of pupils are recognized and rewarded.

Cultural diversity is celebrated throughout the year by acknowledging and celebrating historical milestones at a school wide level such as Hispanic Heritage Month (September/October), African American History month (February), Women's History month (March), and Cesar Chavez Day. Cultural Diversity is also celebrated through our "Journey's" curriculum at all grade levels that incorporates age level/grade level appropriate readings on important cultural figure heads. Our library has multiple collections to allow for students to be represented in stories/books they read. The school counselor also provides teachers with digital library collections of books that celebrate these various monthly celebrations.

Element:

Goal:

Enhance school climate and positive student interactions with the adoption of common school language for positive behaviors through PBIS.

Opportunity for Improvement:

Areas of Desired Improvement

1. Common School Language that supports common goals and positive behavior.
2. Systems to help with tiered support for student behavior via MTSS.

Objectives	Action Steps	Resources	Lead Person	Evaluation
<p>Desired Change #1</p> <p>Work with staff to reinforce common school language to be displayed and followed through campus. Incorporate systems and supports to improve our status for positive behavior systems and results.</p>	<p>Related Strategies and Activities</p> <ol style="list-style-type: none"> 1. Work with staff to develop the expectations and system to monitor and support students, including forms to track minor and major infractions, with detailed information. 2. Conduct grade level assemblies and individual classroom lessons to reinforce positive expectations of students. 	<p>Resources Required</p> <ol style="list-style-type: none"> 1. Time at monthly staff meetings 2. MTSS team receiving training on PBIS and restorative practices. 3. Class level matrix for each classroom, are rules/matrix displayed throughout the school. 4. Budget: Character Ed 	<p>Lead</p> <ol style="list-style-type: none"> 1. The MTSS committee, including administrators, will lead as a team. 	<p>Evaluation criteria</p> <ol style="list-style-type: none"> 1. Progress and completion of above described goal will be monitored through data tracking to focus on areas of growth and need. <p>Timeframe for completion</p> <ol style="list-style-type: none"> 1. Full implementation in the 2024-2025 school year
<p>Desired Change #2</p> <p>Provide informational meetings for parents about behavior expectations, attendance, and supporting students through their education.</p>	<p>Related Strategies and Activities</p> <ol style="list-style-type: none"> 1. Evening/morning informational meetings for parent to talk about behaviors and connectiveness to education 2. Parent meetings to discuss attendance, and its impact on behaviors. 	<p>Resources Required</p> <ol style="list-style-type: none"> 1. Working with district departments to plan activities 2. Budget: Title 1 and Character Ed. 	<p>Lead</p> <ol style="list-style-type: none"> 1. Shared team planning with counselor, administrator, and district personnel. 	<p>Evaluation criteria</p> <ol style="list-style-type: none"> 1. Completion of meetings held throughout the year 2. Kelvin and other surveys conducted to gauge the effectiveness of the program. <p>Timeframe for completion</p> <ol style="list-style-type: none"> 1. End of the 2024-2025 school year

Component:

Element:

Opportunity for Improvement:

Objectives	Action Steps	Resources	Lead Person	Evaluation

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

Highland Grove Elementary Student Conduct Code

Procedures to Ensure a Safe and Orderly Environment

Rules and Procedures on School Discipline

Philosophy of Discipline

- Behavior expectations and the consequences for not meeting expectations must be clearly communicated to all students and their parents (in writing as well as verbally).
- The severity of consequences for violating behavior expectations increases with each incident of inappropriate behavior.
- The consequences for violating behavior expectations should be severe enough to discourage students from making poor behavior decisions.
- Expectations and consequences should permit students an opportunity to eliminate inappropriate behavior.

Elements of a Good Discipline Program

1. The program is focused upon making the entire campus, especially the classroom, a safe, supportive and orderly environment for learning for students and staff.
2. Classroom authority is retained by the classroom teacher. (Administration's role is to support, not to replace.)
3. Rules and procedures are clearly understood by staff and students.
4. All staff members will acknowledge and take appropriate action on any minor or major infraction of the school rules.
5. Rules and procedures comply with State Law and District policies.
6. The program recognizes the responsibilities and the rights of students and staff.
7. Program is structured to keep students in class and engaged in the educational process.
8. Rules are enforced:
 - A. by all staff members at all times.
 - B. strictly, but not rigidly (beware of "automatics").
 - C. in substantial part by adult modeling.
 - D. using techniques that promote the growth of positive self-esteem.
 - E. as close to the source as is possible.
 - F. by keeping parents informed.
9. The discipline program is understood, endorsed, and supported by staff, parents, and students.

PRINCIPAL'S STATEMENT TO STAFF

Expectations in Developing & Maintaining Discipline

Principals Expectations:

Each teacher will have a defined system of classroom management that follows PBIS procedures. A written description of this system, including representative examples of the progressive interventions you intend to employ, will be turned in. Whenever possible and appropriate, teachers are encouraged to use standards and systems that are consistent with established campus guidelines. Each administrator will assist and support you in every reasonable way in developing, implementing, and refining that system as needed. Each staff member will hold students accountable for their behavior on the school grounds at all times.

That when you refer a student for discipline:

1. The student has been made fully aware of classroom and school rules and knows what rules he/she has violated.
2. Teachers will discuss any continuing behavior problems and schedule a team conference with the student and parents when appropriate.
3. That information will be provided on the referral regarding previous actions you have taken regarding this specific issue.
4. You have exhausted the interventions at your disposal (i.e., you have done everything you can do) and you have followed the guidelines established by the administration and staff on what constitutes an appropriate behavior referral.
5. The behavior was so serious or so blatant as to make immediate removal from the classroom necessary.
6. The written referral will be explicit in stating the offense(s).
7. You will send the student out of class with a referral only if his/her continued presence in the class would disrupt or prevent teaching and/or learning.
8. If necessary, the referral will be delivered to the office at a time convenient to the staff member so that the issue may be handled most efficiently, causing a minimum of lost class time.

Staff members can expect

1. Each administrator to support your position in every reasonable way.
2. A reasonable response time on your referral.
3. The availability of an administrator to discuss unresolved referrals after school on any given day.
4. That the administrator will exercise independent judgment regarding disposition of referrals.
5. Administrator support, investigation, and follow-through as indicated.
6. A response to referrals from incidents outside the classroom to be the same as to those within.

WHAT TO DO WHEN PROBLEMS APPEAR

Both behavioral and academic problems are present in some of our students. Guidelines for dealing with these problems are as follows:

1. Talk to the administrator.

2. Call parents at first sign of concern. Inform the parents of your observations, ask for their ideas, assistance, and support in serving the student. Keep a log of your calls.
3. If possible, talk privately to the student about your concerns.
4. Behavior concerns—look through student's CUM file. Any official suspensions will be in file, also look for teacher comments on report cards. Look for patterns of behavior. We use In-House Suspension whenever possible, as it is preferable to having students at home unattended. Serious infractions (fighting, threats, etc.) do result in official suspension. Unresponsive students can be moved to other schools or expelled.
5. Referrals—please remember if you write a student referral, you are required to call the parents. You are writing the referral and can answer the parents' questions firsthand. Administrators will also call parents, but we can only give secondhand information on the incident.
6. Academic Concerns—again, look through student's CUMs. This will contain test scores, report cards, and a student history. You may want to ask the grade level administrator to schedule an Intervention Study Team (IST). This will involve a meeting with the student, parents, administrators, student's teachers, and perhaps the psychologist.

Conduct Code Procedures

California Educational Code

(K) Hate Crime Reporting Procedures and Policies

Policy 5145.3: Nondiscrimination/Harassment

The Governing Board desires to provide a safe school environment that allows all students equal access to and opportunities in the district's academic, extracurricular, and other educational support programs, services, and activities. The Board prohibits unlawful discrimination in any education program or activity, at or on the way to and from any district school or school activity, related to school activity or school attendance occurring within a district school, and which occurs 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 includes 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 or parental status, pregnancy, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression or genetic information; or association with a person or group with one or more of these actual or perceived characteristics.

Title IX of the Education Amendments of 1972 is a source of the obligation not to discriminate on the basis of sex, including gender, pregnancy and related conditions, sex stereotypes, gender identity, transgender status, sexual orientation, and parental status. Complaints alleging unlawful discrimination on the basis of race, color, national origin, sex, age, or disability or for retaliation for the purpose of interfering with any right or privilege protected by the laws enforced by the Office for Civil Rights can be filed directly with the Assistant Secretary for the Office for Civil Rights at OCR@ed.gov or <https://ocrcas.ed.gov>.

(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 constituting unlawful discrimination or harassment 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 one of the categories listed above. Unlawful discrimination also occurs when prohibited conduct is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect or purpose of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely or negatively affects a student's educational opportunities, or academic performance.

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. In addition, the Superintendent or designee shall post the district's policies prohibiting discrimination, harassment, intimidation, and bullying and other required information on the district's web site in a manner that is easily accessible to parents/guardians and students, in accordance with law and the accompanying administrative regulation.

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

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

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

Students who engage in unlawful discrimination, including discriminatory harassment, intimidation, bullying, or retaliation, 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. School personnel shall take immediate steps to intervene, when safe to do so, whenever site personnel witness an act of discrimination, harassment, intimidation, or bullying. Any employee who permits or engages in prohibited discrimination, including discriminatory harassment, intimidation, bullying, or retaliation, shall be subject to disciplinary action, up to and including dismissal.

(cf. 4118 - 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. The record shall be maintained for a minimum of ten years.

The record shall be maintained in a centralized, electronic tracking and response system (centralized system) for all oral and written complaints of sex discrimination, and sexual harassment, assault, intimidation, bullying or abuse, and any retaliation related to the submission of such reports and complaints, including those submitted anonymously.

The centralized system shall contain all documents provided or generated during an investigation, resolution, or appeal.
(cf. 3580 - District Records)

Regulation 5145.3: Nondiscrimination/Harassment

The district designates the Assistant Superintendent of Compliance as the employee 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 Assistant Superintendent of Compliance shall also serve as the compliance officer 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 and any complaints of retaliation for reporting, complaining, or participating in the grievance process related such allegations. The Assistant Superintendent of Compliance may be contacted at: (Education Code 234.1; 5 CCR 4621)

Dr. Rudy Wilson
Assistant Superintendent of Compliance, Redlands Unified School District
20 W. Lugonia Avenue Redlands, CA 92374
(909) 307-5300
compliance@redlands.k12.ca.us

(cf. 1312.1 - Complaints Concerning District Employees) (cf. 1312.3 - Uniform Complaint Procedures) (cf. 5145.7 - Sexual

Harassment)

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

Measures to Prevent Discrimination

To prevent unlawful discrimination, including discriminating 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 website in a manner that is easily accessible to parents/guardians and students (Education Code 234.6)

(cf. 0410 - Nondiscrimination in District Programs and Activities) (cf. 1113 - District and School Websites) (cf. 1114 - District-Sponsored Social Media) (cf. 5131.2 - Bullying)
(cf. 5145.9 - Hate-Motivated Behavior)

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 website 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 website, 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 websites 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:

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

(2) An explanation of how the complaint will be investigated and how the complainant may further pursue the complaint, including web links to this information on the OCR's website

(3) A web link to the OCR complaints form and the contact information for the office, including the phone number and email address for the office

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

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, including transgender and gender-nonconforming students. The notice shall inform students and parents/guardians that they may request to meet with the Assistant Superintendent of Compliance to determine how best to accommodate or resolve concerns that may arise from the district's implementation of its nondiscrimination policies. The notice shall also inform all students and parents/guardians that, to the extent possible, the district will address any individual student's interests and concerns in private.

(cf. 5145.6 - Parental Notifications)

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, including transgender and gender-nonconforming students.

(cf. 1240 - Volunteer Assistance)

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

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)

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

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 (cf. 5131.5 - Vandalism and Graffiti)
2. Providing training to students, staff, and parents/guardians about how to recognize unlawful discrimination, how to report it or file a complaint, and how to respond
3. Disseminating and/or summarizing the district's policy and regulation regarding unlawful discrimination
4. Consistent with laws regarding the confidentiality of student and personnel records, communicating to students, parents/guardians, and the community the school's response plan to unlawful discrimination or harassment

(cf. 4112.6/4212.6/4312.6 - Personnel Files)

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information) (cf. 5125 - Student Records)

5. Taking appropriate disciplinary action against students, employees, and anyone determined to have engaged in wrongdoing in violation of district policy, including any student who is found to have filed a complaint of discrimination that he/she knew was not true

(cf. 4118/4218 - Dismissal/Suspension/Disciplinary Action) (cf. 5144 - Discipline) (cf. 5144.1 - Suspension and Expulsion/Due Process) (cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities)) (cf. 6159.4 - Behavioral Interventions for Special Education Students)

Process for Initiating and Responding to Complaints

Any student who feels that he/she has been subjected to unlawful discrimination described above or in district policy is strongly encouraged to immediately contact the Assistant Superintendent of Compliance, the principal, or any other staff member. In addition, any student who observes any such incident is strongly encouraged to report the incident to the Assistant Superintendent of Compliance 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 Assistant Superintendent of Compliance and the principal, within one 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 Assistant Superintendent of Compliance, the principal or Assistant Superintendent of Compliance 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 Assistant Superintendent of Compliance 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, Assistant Superintendent of Compliance, or any other person to whom a report would ordinarily be made or complaint filed shall instead be made to or filed with

the Superintendent or designee who shall determine how the complaint will be investigated.

(cf. 5141.4 - Child Abuse Prevention and Reporting) Transgender and Gender-Nonconforming Students

Gender identity of a student means the student's gender-related identity, appearance, or behavior, as determined from the student's internal sense 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 or not 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.

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

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

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 transgender status to individuals who do not have a legitimate need for the information, without the student's consent or when doing so would place the student at risk of physical, emotional, or psychological harm
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 transgender and gender- nonconforming students.

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

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

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

As appropriate, given the student's need for support, the Assistant Superintendent of Compliance may discuss with the student any need to disclose the student's 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.

(cf. 1340 - Access to District Records) (cf. 3580 - District Records)

2. Determining a Student's Gender Identity: The Assistant Superintendent of Compliance 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 Assistant Superintendent of Compliance 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 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 Assistant Superintendent of Compliance shall identify specific school site employee(s) to whom the student may report any problem related to the student's status as a transgender or gender-nonconforming individual, so that prompt action can be taken to address it. Alternatively, if appropriate and desired by the student, the school may form a support team for the student that will meet periodically to assess whether the arrangements for the student are meeting his/her educational needs and providing equal access to programs and activities, educate appropriate staff about the student's transition, and serve as a resource to the student to better protect the student from gender-based discrimination.

4. Accessibility to Sex-segregated Facilities, Programs, and Activities: When the district maintains sex- segregated facilities, such as restrooms and locker rooms, or offers sex-segregated programs and activities, such as physical education classes, intramural sports, and interscholastic athletic programs, students shall be permitted to access facilities and participate in programs and activities consistent with their gender identity. To address any student's privacy concerns in using sex-segregated facilities, the district shall offer available options such as a gender-neutral or single-use restroom or changing area, a bathroom stall with a door, an area in the locker room separated by a curtain or screen, 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 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.

(cf. 6145 - Extracurricular and Co-curricular Activities) (cf. 6145.2 - Athletic Competition) (cf. 6153 - School-Sponsored Trips)

(cf. 7110 - Facilities Master Plan)

5. Student Records: A student's legal name or gender as entered on the mandatory student record required pursuant to 5 CCR 432 shall only be changed with proper documentation. When a student presents government- issued documentation of a name and/or gender change or submits a request for a name and/or gender change

through the process specified in Education Code 49070, the district shall update the student's records. (Education Code 49062.5, 49070)

(cf. 5125 - Student Records)

(cf. 5125.1 - Release of Directory Information) (cf. 5125.3 - Challenging Student Records)

6. Names and Pronouns: If a student so chooses, district personnel shall be required to address the student by a name and the pronouns consistent with 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.

(cf. 5132 – Student Dress Guidelines)

(J) Procedures to Prepare for Active Shooters

Redlands Unified School District has created a Safety Communication Plan to establish student safety protocols and procedures in the event of an active shooter or other critical safety threat on campuses. The protocols are predicated on the level of threat as follows:

CRITICAL ALERT

A security procedure that is called when a significant, threatening event is happening on campus or adjacent to campus that creates a potential danger to students and staff.

LOCK DOWN

A procedure that is called when a law enforcement event is happening in the vicinity of a school. All administrators are expected to place their school in Lock Down in this scenario.

SAFE AND SECURE

This security procedure is used to reduce student and staff movement outside school buildings. It is designed to allow for school to carry forward but have the ability to move to Lock Down quickly if needed. During this mode, there is heightened vigilance on campus by all school staff. Generally, recesses and outdoor activities are reduced.

Highland Grove staff representatives participate in annual training sessions conducted by the District and local law enforcement agencies, and the campus participates in three drills annually, focused on each level of threat.

Procedures for Preventing Acts of Bullying and Cyber-bullying

Highland Grove believes that all students have a right to a safe and healthy school environment. The district, schools, and community have an obligation to promote mutual respect, tolerance, and acceptance.

Highland Grove will not tolerate behavior that infringes on the safety of any student. A student shall not intimidate, harass, or bully another student through words or actions. Such behavior includes direct physical contact, such as hitting or shoving; verbal assaults, such as teasing or name-calling; and social isolation or manipulation.

Highland Gove expects students and/or staff to immediately report incidents of bullying to the principal or designee. Staff who witness such acts take immediate steps to intervene when safe to do so. Each complaint of bullying should be promptly investigated. This policy applies to students on school grounds, while traveling to and from school or a school-sponsored activity, during the lunch period, whether on or off campus, and during a school-sponsored activity.

To ensure bullying does not occur on school campuses, Highland Grove will provide staff development training in bullying prevention and cultivate acceptance and understanding in all students and staff to build capacity to maintain a safe and healthy learning environment

Teachers should discuss this policy with their students in age-appropriate ways and should assure them that they need not endure any form of bullying. Students who bully are in violation of this policy and are subject to disciplinary action up to and including expulsion.

Highland Grove will adopt a Student Code of Conduct to be followed by every student while on school grounds or when traveling to and from school or a school-sponsored activity.

The Student Code of Conduct includes, but is not limited to:

Any student who engages in bullying may be subject to disciplinary action up to and including expulsion.

Students are expected to immediately report incidents of bullying to the principal or designee.

Students can rely on staff to promptly investigate each complaint of bullying in a thorough and confidential manner.

If the complainant student or the parent of the student feels that appropriate resolution of the investigation or complaint has not been reached, the student or the parent of the student should contact the principal or the Office of Student Services. The school system prohibits retaliatory behavior against any complainant or any participant in the complaint process.

The procedures for intervening in bullying behavior include, but are not limited, to the following:

All staff, students and their parents will receive a summary of this policy prohibiting intimidation and bullying at the beginning of the school year, as part of the student handbook and/or information packet, as part of new student orientation, and as part of the school system's notification to parents.

The school will make reasonable efforts to keep a report of bullying and the results of investigation confidential.

Staff who witness acts of bullying shall take immediate steps to intervene when safe to do so. People witnessing or experiencing bullying are strongly encouraged to report the incident; such reporting will not reflect on the target or witnesses in any way.

Students will participate in digital citizenship lessons to understand the signs and implications of cyber-bullying in order to prevent the occurrence from happening.

Highland Grove uses Sprigeo as an anonymous reporting system which is posted in all conspicuous areas of the campus and our website, and is accessible to all students, families, and staff.

Safety Plan Review, Evaluation and Amendment Procedures

The Highland Grove safety committee meets five times annually, reviewing all safety measures and procedures to ensure proper safeguarding of all students and staff. Recommendations for changes are submitted to the School Site Council for review and approval. The School Site Council is comprised of administrators, teachers, staff, and parents. The council meets five times per year and adopts, revises, and approves issues related to school safety.

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)
Safety Team Meeting - approval of comprehensive safety plan	10/1/2024, 2:15 - 2:45	Safety Team Agenda 10/1/24

Emergency Response Guidelines

Step One: Identify the Type of Emergency

Staff will use the Raptor Alert system through their computer or cellular phone to identify the type of emergency and the location.

Step Two: Identify the Level of Emergency

Teachers and staff will activate one of two modes in the system, either Critical Alert or Team Assist. The Critical Alert will indicate an imminent threat exists on or near campus that warrants immediate action to ensure the safety of students, staff, and visitors. The Team Assist will notify key personnel that an issue exists that needs their immediate attention and assistance. Staff will have the opportunity within the application to elaborate as to the nature of the threat, location, and type of assistance needed based on the level of emergency.

Step Three: Determine the Immediate Response Action

The immediate response will vary based on the nature and severity of the emergency, but may include assistance/intervention from administration or other staff, the lockdown of all students and personnel within the campus, and notification of local authorities.

Step Four: Communicate the Appropriate Response Action

Communication of the response action will primarily be through the Raptor Alert system, which allows for details and communications to be updated in real time. Administration will communicate to District and local authorities for assistance and updates.

Types of Emergencies & Specific Procedures

Earthquake

SIGNAL: Continuous Series of Short Bell Sounds (If not an earthquake) Followed By Announcement

PROCEDURE: DUCK, COVER, AND HOLD

When the ground begins shaking, a loud explosion is heard/felt, or a duck, cover, and hold drill begins. This will also be signaled by the bell signal (commonly described as a fire drill bell.) Everyone — students, staff, and all others present — take the following protective actions:

Indoors:

Duck: Take cover under a nearby desk or table, positioning as much of the body as possible under cover.

Cover eyes by leaning the face against the arm.

Hold on to the table legs or side of the desk. Remain in position until the ground stops shaking, objects stop falling, or the teacher indicates that this phase of the drill has ended.

If there is no table or desk nearby, but there are chairs (such as an auditorium-style arrangement):

Duck, cover, and hold: take cover under the chairs, if possible, and/or between the rows of chairs, by dropping to the floor, holding on, and protecting the eyes with the arm.

If there are no tables or chairs nearby (or not enough):

Duck, cover, and hold: take cover by dropping to the floor, against an interior wall, if possible. The "drop" position is preferred: on the floor, on the knees, leaning over to rest on the elbows, hands clasped behind the neck, face down for protection.

In the hallway:

Duck, cover, and hold: take the "drop" position alongside the walls. Choose the closest safe place.

On stairs:

Duck, cover, and hold: Sit down, hold onto the handrail, and cover your eyes.

People with disabilities:

In a wheelchair: Remain in the chair, set the brake, and hold on. If you have a hard hat with you, put it on.

Trying to protect the head and neck by leaning forward so that the head is lower than the back of the wheelchair is not practical.

First, the person would have to bend head down to knees, which may not be physically possible. Second, the leather or vinyl backs of most wheelchairs will not add protection

With mobility impairments, but not in a wheelchair:

If sitting at onset of earthquake, remain in place, protecting your head if possible, and hold on.

If standing, sit down or brace your body to avoid falling.

People with mobility impairments should not be routinely placed under or near potential hazards.

Teachers and other Caregivers:

Duck, cover, and hold as directed above so that you will be available and uninjured to assist others after the ground stops shaking.

The teacher should be the first to duck, cover, and hold.

Outdoors:

Duck, cover, and hold: Move away from buildings, power lines, block walls, and other items which might fall. Take the "drop" position or sit down.

Remain in position until the ground stops shaking or the teacher indicates that this phase of the drill has ended.

Situation assessment:

Teacher or supervising adult makes a quick assessment of the situation. Any of the following require immediate evacuation: fire, damage to structure, hazardous materials spill.

Teacher makes a quick assessment of injuries to students. Unless the situation calls for immediate evacuation, the teacher uses first aid for critical injuries.

Teacher checks with buddy teacher. It may be necessary to assist or evacuate the buddy teacher's class.

In most cases, the teacher will wait until composure has been reached and an evacuation signal has been received before directing the class to evacuate. See evacuation procedures.

Aftershocks:

Students and staff duck, cover, and hold.

Teacher/staff repeat situation assessment procedures detailed above.

Fire in Surrounding Area

The School Administration office will track the threat to the community and campus, and if necessary:

CALL: 9-1-1

SOUND: The fire alarm, if necessary, evacuate classrooms/buildings, and

NOTIFY: The Superintendent and District Office liaison.

If evacuation of classrooms/buildings was required, re-occupy buildings when ordered to do so by the Administrator or local fire authority.

Fire on School Grounds

The School Administration office will:

SIGNAL: Continuous Series of Short Bell Sounds indicating fire alarm

CALL: 9-1-1

NOTIFY: The Superintendent and District Office Liaison.

School Staff will:

SUPERVISE: Evacuation of all students, staff, and visitors according to the Emergency Evacuation Plan posted in every classroom

TAKE: Emergency backpack, including roll sheet and take roll at evacuation site, and

REPORT: Missing students to the School Administrator.

The Administrator or ERT member will open necessary gates for emergency vehicles, if applicable

Re-occupy buildings when ordered to do so by Administration or local fire authority.

Pandemic

Blood Borne Pathogen Incident Reporting Form and Exposure Control Plan

Policy 5141.22: Infectious Diseases

The Governing Board desires to protect students from risks posed by exposure to infectious diseases while providing an appropriate education for all students.

The Superintendent or designee shall determine whether to admit a student with an infectious disease, and shall exclude students only in accordance with law. In making this determination, he/she shall consult the student's parents/guardians, the student's physician and/or the county health department, in accordance with law and consistent with confidentiality provisions. Because bloodborne pathogens such as hepatitis B virus, hepatitis C virus and human immunodeficiency virus (HIV) are not casually transmitted, the sole presence of bloodborne pathogens is not sufficient reason to exclude students from attending school.

cf. 5112.2 - Exclusions from Attendance)
(cf. 5141.26 - Tuberculosis Testing)
(cf. 5141.3 - Health Examinations)
(cf. 6158 - Independent Study)
(cf. 6159 - Individualized Education Program)
(cf. 6183 - Home/Hospital Instruction)

Parents/guardians are encouraged to inform the Superintendent or designee if their child has an infectious disease so that school staff may work cooperatively with the student's parents/guardians to minimize the child's exposure to other diseases in the school setting. The Superintendent or designee shall ensure that student confidentiality rights are strictly observed in accordance with law. No district employee shall release medical information, including knowledge of a bloodborne pathogen infection, without written consent from the parent/guardian or adult student. Such information shall be shared only with those persons specifically named in the written permission.

(cf. 5125 - Student Records)
(cf. 5022 - Student and Family Privacy Rights)

The Board requires students and staff to routinely observe universal precautions to prevent exposure to bloodborne pathogens and to prevent the spread of all infectious disease.

cf. 4119.42/4219.42/4319.42 -Exposure Control Plan for Bloodborne Pathogens)
(cf. 4119.43/4219.43/4319.43 - Universal Precautions)
(cf. 5141.23 - Infectious Disease Prevention)

The Superintendent or designee shall ensure that the district's health education program provides information about the nature of bloodborne pathogens and their transmission.

(cf. 5141.6 - Student Health and Social Services)
(cf. 6142.2 - Sexual Health and HIV/AIDS Prevention Instruction)
(cf. 6142.8 - Comprehensive Health Education)

Blood Borne Pathogens - Safety Practices

Procedures and Regulations

1. General

1.1 While recognizing that both students and employees diagnosed with an infectious blood borne disease are entitled to a confidential relationship between themselves, the medical community and/or other agencies, the Board of School Trustees encourages these individuals to meet with the School Principal and/or Superintendent of Schools to discuss their disease and immediate and future needs.

1.2 Assessment

2. Students:

2.1. The Superintendent (or designate) will be informed, by the school principal as soon as is known, of any student infected with an infectious blood borne disease.

2.2. A Risk Assessment will be conducted using a team approach including the personal physician, public health personnel, the parent or guardian, and school district personnel as appropriate and will make recommendations about the type of educational and care setting based on the following:

- a. Behavior, neurological development and physical condition of the child;
- b. Type of interaction expected with others.
- c. What the potential is for exposure
- d. Areas for potential for exposure
- e. How exposure may happen
- f. Who needs to know?
- g. What will happen if there is a risk of exposure?

2.3. The team will consider the risk to others in the workplace, whether or not the individual is healthy enough to continue to attend school, and what precautions should be taken to ensure the safety and health of others.

a. The identity of infected students will remain confidential and restricted to those who need to know or are required to be informed.

2.4. Decisions on attendance at school are dependent on the circumstances of each individual case. Regular evaluation of the appropriateness of attendance will be conducted.

2.5. The Board will be notified immediately when the team considers the health condition of a student to be a danger to the immediate health and welfare of a school, its students or employees of the Board.

a. Upon being notified of the team's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

3. Employees

3.1. The Superintendent will be informed, by district staff as soon as is known, of any employee infected with an infectious blood borne disease.

3.2. Employees with an infectious blood borne disease, who are able to carry out the essential duties of their jobs in a satisfactory manner without posing a health or safety risk to themselves or others, will be entitled to continue their work.

3.3. Decisions regarding potential health or safety hazards will be made on a case-by-case basis in consultation with the employee, the personal physician and district personnel as appropriate.

3.4. The identity of infected employees will remain confidential and restricted to those who need to know or are required to be informed.

3.5. The Board will be notified immediately if the Superintendent considers the health condition of an employee to be a danger to the immediate health and welfare of a school, its students or other employees of the Board.

a. Upon being notified of the Superintendent's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

4. Hygienic Safety Practices

4.1. All employees will follow "Universal Infection Control Precautions" by assuming that blood and other body fluids from all individuals are potentially infectious. These precautions include:

- a. Routinely using gloves when anticipating contact with blood
- b. Immediately washing hands and other skin surfaces after removal of gloves and/or contact with blood

4.2. Schools will be provided with appropriate protective equipment including disposable waterproof gloves (natural rubber latex, neoprene, nitrile, or vinyl), tongs or pliers and proper sharps containers.

4.3. Schools' medical room mattresses will be either vinyl-coated beds or cloth mattress with a protective vinyl (plastic) covering so that they can be cleaned as needed with a bleach solution.

4.4. Blankets can be cleaned as needed by forwarding them, in a clearly labeled plastic bag, to the Assistant Supervisor Operations at the Facilities Office.

5. Universal Precautions

5.1. Universal Precautions to prevent transmission of blood-borne disease will be followed. Universal Precautions is the term for infection control measures endorsed by the Canadian Centre for Occupational Health and Safety for workers who might come into contact with blood and other body fluids. In summary they include:

- a. Wash hands for 30 seconds after contact with blood and other body fluids contaminated with blood.
- b. Wear disposable latex gloves when you encounter blood, body fluids, or when cleaning cuts, scrapes or wounds. Wash your hands as soon as you remove your gloves. Dispose gloves in a plastic bag.
- c. Use disposable absorbent material like paper towels to stop bleeding.
- d. Discard bloodstained material in a sealed plastic bag and deposit in the garbage. Label as containing blood-tainted material.
- e. Cover cuts or scrapes with a bandage until healed.
- f. Immediately protect staff and students from coming in contact with blood-soiled surfaces. The area must be disinfected with a fresh solution of one part bleach and nine-parts water (10% bleach solution).

Mops or brushes used for cleaning should be soaked in a bleach solution for 20 minutes.

(Note: The custodial department will provide each school with the product for dissolving in water to provide the bleach solution.)

6. Identification of Risks of Occupational Exposure

6.1. In accordance with the Occupational Health and Safety Regulations (section 6.35), the district's Health & Safety Coordinator will develop and maintain a list of positions and/or tasks and procedures where there is a potential for occupational exposure to a blood borne pathogen.

6.2. Employees who have, or may have, occupational exposure to the hepatitis B virus, will upon request, receive a hepatitis B vaccination (section 6.39, OH&S Regs).

6.3. Employees who may have been exposed to a blood borne pathogen in an exposure incident will be advised to immediately seek medical attention

Blood Borne Pathogen Incident Reporting Form and Exposure Control Plan

Policy 5141.22: Infectious Diseases

The Governing Board desires to protect students from risks posed by exposure to infectious diseases while providing an appropriate education for all students.

The Superintendent or designee shall determine whether to admit a student with an infectious disease, and shall exclude students only in accordance with law. In making this determination, he/she shall consult the student's parents/guardians, the student's physician and/or the county health department, in accordance with law and consistent with confidentiality provisions. Because bloodborne pathogens such as hepatitis B virus, hepatitis C virus and human immunodeficiency virus (HIV) are not casually transmitted, the sole presence of bloodborne pathogens is not sufficient reason to exclude students from attending school.

(cf. 5112.2 - Exclusions from Attendance)
(cf. 5141.26 - Tuberculosis Testing)
(cf. 5141.3 - Health Examinations)
(cf. 6158 - Independent Study)
(cf. 6159 - Individualized Education Program)
(cf. 6183 - Home/Hospital Instruction)

Parents/guardians are encouraged to inform the Superintendent or designee if their child has an infectious disease so that school staff may work cooperatively with the student's parents/guardians to minimize the child's exposure to other diseases in the school setting. The Superintendent or designee shall ensure that student confidentiality rights are strictly observed in accordance with law. No district employee shall release medical information, including knowledge of a bloodborne pathogen infection, without written consent from the parent/guardian or adult student. Such information shall be shared only with those persons specifically named in the written permission.

(cf. 5125 - Student Records)
(cf. 5022 - Student and Family Privacy Rights)

The Board requires students and staff to routinely observe universal precautions to prevent exposure to bloodborne pathogens and to prevent the spread of all infectious disease.

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)
(cf. 4119.43/4219.43/4319.43 - Universal Precautions)
(cf. 5141.23 - Infectious Disease Prevention)

The Superintendent or designee shall ensure that the district's health education program provides information about the nature of bloodborne pathogens and their transmission.

(cf. 5141.6 - Student Health and Social Services)
(cf. 6142.2 - Sexual Health and HIV/AIDS Prevention Instruction)
(cf. 6142.8 - Comprehensive Health Education)

Blood Borne Pathogens - Safety Practices

Procedures and Regulations

1. General

1.1 While recognizing that both students and employees diagnosed with an infectious blood borne disease are entitled to a confidential relationship between themselves, the medical community and/or other agencies, the Board of School Trustees encourages these individuals to meet with the School Principal and/or Superintendent of Schools to discuss their disease and immediate and future needs.

1.2 Assessment

2. Students:

2.1. The Superintendent (or designate) will be informed, by the school principal as soon as is known, of any student infected with an infectious blood borne disease.

2.2. A Risk Assessment will be conducted using a team approach including the personal physician, public health personnel, the parent or guardian, and school district personnel as appropriate and will make recommendations about the type of educational and care setting based on the following:

- a. Behavior, neurological development and physical condition of the child;
- b. Type of interaction expected with others.
- c. What the potential is for exposure
- d. Areas for potential for exposure
- e. How exposure may happen
- f. Who needs to know?
- g. What will happen if there is a risk of exposure?

2.3. The team will consider the risk to others in the workplace, whether or not the individual is healthy enough to continue to attend school, and what precautions should be taken to ensure the safety and health of others.

- a. The identity of infected students will remain confidential and restricted to those who need to know or are required to be informed.

2.4. Decisions on attendance at school are dependent on the circumstances of each individual case. Regular evaluation of the appropriateness of attendance will be conducted.

2.5. The Board will be notified immediately when the team considers the health condition of a student to be a danger to the immediate health and welfare of a school, its students or employees of the Board.

- a. Upon being notified of the team's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

3. Employees

3.1. The Superintendent will be informed, by district staff as soon as is known, of any employee infected with an infectious blood borne disease.

3.2. Employees with an infectious blood borne disease, who are able to carry out the essential duties of their jobs in a satisfactory manner without posing a health or safety risk to themselves or others, will be entitled to continue their work.

3.3. Decisions regarding potential health or safety hazards will be made on a case-by-case basis in consultation with the employee, the personal physician and district personnel as appropriate.

3.4. The identity of infected employees will remain confidential and restricted to those who need to know or are required to be informed.

- 3.5. The Board will be notified immediately if the Superintendent considers the health condition of an employee to be a danger to the immediate health and welfare of a school, its students or other employees of the Board.
- a. Upon being notified of the Superintendent's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

4. Hygienic Safety Practices

- 4.1. All employees will follow "Universal Infection Control Precautions" by assuming that blood and other body fluids from all individuals are potentially infectious. These precautions include:
- a. Routinely using gloves when anticipating contact with blood
 - b. Immediately washing hands and other skin surfaces after removal of gloves and/or contact with blood
- 4.2. Schools will be provided with appropriate protective equipment including disposable waterproof gloves (natural rubber latex, neoprene, nitrile, or vinyl), tongs or pliers and proper sharps containers.
- 4.3. Schools' medical room mattresses will be either vinyl-coated beds or cloth mattress with a protective vinyl (plastic) covering so that they can be cleaned as needed with a bleach solution.
- 4.4. Blankets can be cleaned as needed by forwarding them, in a clearly labeled plastic bag, to the Assistant Supervisor Operations at the Facilities Office.

5. Universal Precautions

- 5.1. Universal Precautions to prevent transmission of blood-borne disease will be followed. *Universal Precautions* is the term for infection control measures endorsed by the Canadian Centre for Occupational Health and Safety for workers who might come into contact with blood and other body fluids. In summary they include:
- a. Wash hands for 30 seconds after contact with blood and other body fluids contaminated with blood.
 - b. Wear disposable latex gloves when you encounter blood, body fluids, or when cleaning cuts, scrapes or wounds. Wash your hands as soon as you remove your gloves. Dispose gloves in a plastic bag.
 - c. Use disposable absorbent material like paper towels to stop bleeding.
 - d. Discard bloodstained material in a sealed plastic bag and deposit in the garbage. Label as containing blood-tainted material.
 - e. Cover cuts or scrapes with a bandage until healed.
 - f. Immediately protect staff and students from coming in contact with blood-soiled surfaces. The area must be disinfected with a fresh solution of one part bleach and nine-parts water (10% bleach solution).

Mops or brushes used for cleaning should be soaked in a bleach solution for 20 minutes.

(Note: The custodial department will provide each school with the product for dissolving in water to provide the bleach solution.)

6. Identification of Risks of Occupational Exposure

- 6.1. In accordance with the Occupational Health and Safety Regulations (section 6.35), the district's Health & Safety Coordinator will develop and maintain a list of positions and/or tasks and procedures where there is a potential for occupational exposure to a blood borne pathogen.
- 6.2. Employees who have, or may have, occupational exposure to the hepatitis B virus, will upon request, receive a hepatitis B vaccination (section 6.39, OH&S Regs).
- 6.3. Employees who may have been exposed to a blood borne pathogen in an exposure incident will be advised to immediately seek medical attention



Safety Committee Meeting

October 1, 2024

2:15 - 2:45

- Introductions
- What is the main purpose of a safety committee?
 - A safety committee includes employees from different departments in the organization who are responsible for identifying potential workplace hazards, developing strategies to mitigate or eliminate them, and promoting a safety culture throughout the workplace
- Review Highland Grove's Disaster Plan
 - HG Disaster Plan 2024-25.docx
 - Do we need more details?
- Review Comprehensive School Safety Plan
 - 2024_Comprehensive_School_Safety_Plan_Highland_Grove_...
 - This is a live document and we can make changes throughout the year as needed.
- Approve plans and sign documents
- Good of the Order

Discussed crossing guards.

inventory




Name	Signature
Jennifer Knecht	
Amy Pry	
Julia Salcido	
George Radke	
Lori Regalado	
Daniel Ybarra	
Kim Simon	
Jennie Padilla	

Comprehensive School Safety Plan

**2024-2025
School Year**

School: Judson & Brown Elementary School
CDS Code: 36-67843-0110569
District: Redlands Unified School District
Address: 1401 E. Pennsylvania Avenue
Redlands, CA 92374
Date of Adoption: October 24, 2023
Date of Update: October 4, 2024
Date of Review:
- with Staff
- with Law Enforcement
- with Fire Authority

Approved by:

Name	Title	Signature	Date
Todd Rossi	Principal		
Michelle Blomquist	Elementary Counselor		
Jennifer Rahn	Teacher		
Debbie Crossland	School Clerk		
Jake Dawes	Parent		
Christina Ito	Parent		
Melissa Olvera	Parent		

Name	Title	Signature	Date
Monica Saunders	Parent		

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Comprehensive School Safety Plan Purpose

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

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

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

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

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

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

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

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

A copy of the Comprehensive School Safety Plan is available for review at the Judson and Brown front office..

Safety Plan Vision

- Judson & Brown Elementary School will provide a safe, orderly, and secure environment conducive to learning.
- Judson & Brown Elementary School will create a school environment in which students and staff will attend regularly and be safe from both physical and social-psychological harm.

- Judson & Brown Elementary School will work collaboratively with the district office and school board to identify, establish and use strategies and programs to comply with school safety laws.
- Judson & Brown Elementary School will develop a plan to work cooperatively and collaboratively with parents, students, teachers, administrators, counselors and community agencies, including law enforcement to provide a safe and orderly school and neighborhood.
- Judson & Brown Elementary School will develop an academic program that will focus on high expectations of student performance and behavior in all aspects of the school experience.
- Judson & Brown Elementary School will solicit the participation, views, and advice of teachers, parents, school administrators, and community members and use this information to promote the safety of our pupils, staff and community.

Components of the Comprehensive School Safety Plan (EC 32281)

Judson & Brown Elementary School Safety Committee

Todd Rossi, Robyn Rivera, Jennifer Weigel, Erin Wheeler, Jill Connelly, Jennifer Rahn, Vince Salcido

Assessment of School Safety

School crime is reported annually to the State of California. Judson & Brown Elementary School works closely with Student Services and the Redlands Police Department to ensure compliance with all reporting, laws, and penal codes. One student was suspended for the 2023-2024 school year.

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

Introduction - School Profile

Judson & Brown Elementary School is one of twenty-four schools in the Redlands Unified School District with traditions dating back to August 2006. Judson & Brown Elementary School has a diverse pupil student body and is served by a dedicated staff. Both staff and parents comment on the positive changes that are ongoing in our school.

Judson & Brown Elementary School faces challenges in maintaining a safe school. This section of the Comprehensive School Safety Plan will describe programs in place at our school as well as strategies and programs of our school site council for continued improvement in providing a safe, orderly, school environment conducive to learning.

School Crime Status and Reporting

School crime is reported annually to the State of California. Judson & Brown Elementary School works closely with Student Services and the Redlands Police Department to ensure compliance with all reporting, laws, and penal codes. One student was suspended for the 2023-2024 school year.

Personal Characteristics of Pupil & Staff

(Additional Health and Welfare Data available from ICOE aggregated DAT surveys)

Judson & Brown Elementary School has an enrollment of 486 pupils in TK-5. Pupils from this school come from families with .009% family mobility. Approximately 68% of the pupils are in families receiving Aid to Families with Dependent Children that are eligible for free/reduce lunches. The ethnic makeup of the pupil population is 55.6 % Hispanic, 5.7 % Black, 21.3 % Caucasian and 9.0 % Asian. Our pupils have a variety of life experiences. Some pupils have recently arrived from foreign countries while others have never left their neighborhood.

Curriculum and Educational Activities

The course of study includes the basic core curriculum, physical education and enrichment classes such as Music, Art, Library, GATE, CSTEM, and field trips to enrich the core curriculum..

Pupils have the opportunity to participate in noon and after-school activities. These include Chess Club, Joggers Club, Chorus, Yearbook, Broadcasting, CSTEM, EL tutoring, YMCA, intervention classes and extended sports play during lunch recess..

Staff provides opportunities and additional activities open to pupils in the areas of Sporting Events, Technology, Science Activities, Family Dances, Family Fun Nights, Family Math Night.

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

Policy 5141.4: Child Abuse Prevention and Reporting

The Governing Board recognizes that the district has a responsibility to facilitate the prompt reporting of incidents of child abuse and neglect. The Superintendent or designee shall ensure that parents/guardians have access to procedures whereby they can report suspected child abuse at a school site to appropriate child protective agencies

The Superintendent or designee shall develop and implement regulations for use by employees in identifying and reporting child abuse

District employees shall report known or suspected incidents of child abuse in accordance with district regulations and state law. Employees shall cooperate with the child protective agencies responsible for reporting, investigating and prosecuting cases of child abuse.

(cf. 4112.9 - Signed Statements/Child Abuse Reporting Statements)

The Superintendent or designee shall provide training in child abuse identification and reporting for all certificated and classified personnel. (Penal Code 11165.7)

All employees trained in child abuse identification and reporting shall be given, as a part of that training, written notice of the child abuse reporting requirements and the employees' confidentiality rights. (Penal Code 11165.7)

In order to reduce or eliminate unfounded child abuse accusations directed at school employees, child abuse in service training shall include guidance in disciplining students and maintaining ethical relationships with them.

(cf. 3514 - Safety)

(cf. 5142 - Safety)

Duty to Report

Certificated employees and classified employees trained in child abuse identification and reporting shall report known or suspected child abuse to a child protective agency by telephone immediately or as soon as practically possible and in writing within 36 hours. The reporting duties are individual and cannot be delegated to another individual except under circumstances set forth in Penal Code 11166.

Definitions

Child Abuse includes the following:

1. A physical injury inflicted by other than accidental means on a child by another person.
2. Willful cruelty or unjustifiable punishment of a child, or willfully inflicting unjustifiable physical pain or mental suffering, or failure to safeguard a child from these injuries when the child is under a person's care or custody
3. Sexual abuse of a child
4. Neglect of a child or abuse in out-of-home care
5. Unlawful corporal punishment or injury resulting in a traumatic condition

Mandated Reporters are those people defined by law as child care custodians, health practitioners, child visitation monitors and employees of a child protective agency. Mandated reporters include virtually all school employees. The following school personnel are required to report:

Teachers, administrators, supervisors of child welfare and attendance, certificated student personnel employees, employees of care institutions, Headstart teachers, school psychologists, licensed nurses, counselors, presenters of child abuse prevention programs and those instructional aides or other classified employees trained in child abuse reporting.

Child Protective Agencies are those law enforcement and child protective services responsible for investigating child abuse reports, including the local police or sheriff department, county welfare or juvenile probation department and child protective services.

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

Reporting Procedures

To report known or suspects child abuse, any employee (as defined above) shall report by telephone to the local child protective agency immediately. (Child Protective Services 921 County Center, 3 Court, Modesto, CA phone # 525- 6641)

The following information shall be given:

1. The name of the person making the report
2. The name of the child
3. The present location of the child
4. The nature and extent of any injury

Any other information requested by the child protective agency, including the information that led the mandated reporter to suspect child abuse.

When the verbal 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.

Within 36 hours of making the telephone report, the mandated reporter shall complete and mail to the local child protective agency a written report which includes a completed Department of Justice form (DOJ SS 8572).

Mandated reports may obtain copies of the above form either from the district or local child protective agency.

Instructions are included on the form, and reporters may ask the site administrator for help in completing and mailing it; however, the mandated reporter is personally responsible for ensuring that the written report is correctly filed.

Employees reporting child abuse to a child protective agency are encouraged, but not required, to notify the site administrator or designee as soon as possible after the initial verbal report by telephone. When so notified, the site administrator shall inform the Superintendent or designee.

Administrators so notified shall provide the mandated reporter any assistance necessary to ensure that reporting procedures are carried out in accordance with law and district regulations. At the mandated reporter's request, the principal may assist in completing and filing the form.

If the mandated reporter does not disclose his/her identity to a district administrator, he/she shall at least provide or mail a copy of the written report to the site administrator and the district without his/her signature or name.

Legal Responsibility and Liability

Mandated reporters have absolute immunity. School employees required to report are not civilly or criminally liable for filing a required or authorized report of known or suspected child abuse.

A mandated reporter who fails to report an instance of child abuse, which he/she knows to exist or reasonably should know to exist, is guilty of a misdemeanor and is punishable by confinement in jail for a term not to exceed six months or by a fine of not more than \$1,000 or both. The mandated reporter may also be held civilly liable for damages for any injury to the child after a failure to report

When two or more persons who are required to report have joint knowledge of suspected instance of child abuse, and when they so agree, the telephone report may be made by either of them and a single report made and signed by that person.

However, if any person who knows or should know that the person designated failed to make the report, that person then has a duty to make the report.

The duty to report child abuse is an individual duty and no supervisor or administrator may impede or inhibit such reporting duties. Furthermore, no person making such a report shall be subject to any sanction.

Victim Interview

Upon request, a child protective agency representative may upon request interview a suspected victim of child abuse during school hours, on school premises, concerning a report of suspected child abuse that occurred within the child's home. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. (Penal Code 11174.3)

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

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

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

Peace officer and child protective services agents will be asked to sign an appropriate release or acceptance of responsibility form.

(cf. 5145.11 - Questioning and Apprehension)

When School Employees are Accused of Child Abuse

Regardless of who child abusers may be, the major responsibilities of mandated reports are to 1) identify incidents of suspected child abuse, and 2) comply with laws requiring the reporting of suspected abuse to proper authorities. Determining whether or not the suspected abuse actually occurred is not the responsibility of the school employee. Such determination and follow-up investigation will be made by a child protective agency.

Pending outcome of an investigation by a child protective agency and before formal charges are filed, the employee may be subject to reassignment or a paid leave of absence.

Upon filing formal charges or upon conviction, the district may take disciplinary action in accordance with law, district policies, regulations and/or collective bargaining agreements. The Superintendent or designee shall seek legal counsel in connection with either the suspension or dismissal of the employee.

(cf. 4117.4 - Dismissal)
(cf. 4118 - Suspension/Disciplinary Action (Certificated))
(cf. 4218 - Suspension/Disciplinary Action (Classified))

Suspected Child Abuse Reporting Procedures

I. Initiating the Report

A. The report is initiated by a telephone report to the appropriate agency.

B. If the suspected child abuse has taken place within the family, call the Enter appropriate Agency Hotline at phone number, 1 (800) 827-8724

C. If the suspected child abuse has taken place outside the family, call the local police department at:

Highland Sheriff Police Department
Phone: (909) 425-9793

D. Content of call.

- 1) Name, address and age of child involved.
- 2) Clear description of suspected abuse.

II. Written Report

A. The telephone call is to be followed by completion of the Suspected Child Abuse Report (form 11166.P.C.). These forms are available in the Principal's office at the high school or you may access the form on line at:
http://ag.ca.gov/childabuse/pdf/ss_8572.pdf for a form or immediately call (909) 384-9233 to file a report.

B. The written report is to be addressed to the person to whom the telephone report was made.

C. The written report must follow the phone call within 36 hours.

1. Suspected child abuse within the family,
Agency: Children and Family Services
Address: 150 S. Lena Road, San Bernardino, California 92415

2. Suspected child abuse outside the family should be mailed to the agency to which the report was called -

Adopted: 10/2005
Highland Sheriff Police Department
Phone: (909)425-9793

The reporting party should keep the yellow copy of the Suspected Child Abuse Report form (SS8572) or verification of completion of the reporting obligation.

Caution:

1. The reporting responsibility has not been discharged until both the telephone call and written reports are complete.
2. School personnel are not to engage in any investigation of suspected cases. The investigation will be done by the child protective services office.
3. The reporting responsibility is an individual one which is NOT discharged by report to supervisors or administrators.

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

Disaster Plan (See Appendix C-F)

Each classroom, office, library and room on campus has a posting of the emergency procedures near the exit door. Emergency procedures are also posted in each classroom notebook which is reviewed at the beginning of the school year for updates. Fire Drills are practiced each month of the school year. Earthquake drills are practiced four times a year and Lock Down drills are practiced yearly.

Public Agency Use of School Buildings for Emergency Shelters

Public agencies, such as the American Red Cross, may use school buildings, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare. The District or County office shall cooperate with the public agency in furnishing and maintaining the services as the District or County Office may deem necessary to meet the needs of the community.

(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines

Policy 5144.1: Suspension And Expulsion/Due Process

Suspension and Expulsion

The Governing Board recognizes that maintaining an environment which promotes learning and protects the health, safety, and welfare of all students may require the suspension or expulsion of a student from regular classroom instruction. District policies and school site rules shall clearly identify district behavior standards

(cf. 5144 - Discipline)

Except in cases where suspension for a first time offense is warranted in accordance with law, suspension shall be imposed only when other means of correction fail to bring about proper conduct. (Education Code 48900.5)

Expulsion is an action taken by the Board for severe or prolonged breaches of discipline by a student. Except for single acts of a grave nature, expulsion is usually used only when there is a history of misconduct, when other forms of discipline, including suspension, have failed to bring about proper conduct, or when the student's presence causes a continuing danger to other students. (Education Code 48915)

The grounds for suspension and expulsion and the procedures for considering, recommending and/or implementing suspension and expulsion shall be specified in Administrative Regulation.

Each principal shall annually inform all students and parents/guardians of the school's discipline rules and procedures and of the availability of all district policies and regulations dealing with student discipline, suspension and expulsion. (Education Code 35291, 35291.5)

(cf. 5145.6 - Parental Notifications)

Suspended or expelled students shall be excluded from all school-related extracurricular activities during the suspension or expulsion.

cf. 6145 - Extracurricular and Cocurricular Activities)

Zero Tolerance

The Board supports a zero tolerance approach to serious offenses in accordance with state and federal law. This approach makes the removal of potentially dangerous students from the classroom a top priority and ensures the standardized treatment of all students. Staff shall immediately report to the Superintendent/ designee any incidence of offenses specified in law, Board policy, and administrative regulation as cause for suspension or expulsion.

Student Due Process

The Board shall provide for the fair treatment of students facing suspension and expulsion by affording them their due process rights under the law. The administration and staff shall comply with procedures for notices and appeals as specified in regulation. Procedures governing student due process shall conform in all aspects to provisions in law. (Education Codes 48911, 48915 and 48915.5)

Whenever a student is suspended, school officials may (but are not required to) meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

cf. 5119 - Students Expelled from Other Districts

(cf. 5144.2 - Suspension and Expulsion/Due Process - Individuals with Exceptional Needs)

Rights of Complaining Witness

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

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

1. Receive five days' notice of his/her scheduled testimony at the hearing
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies
3. Have a closed hearing during the time he/she testifies

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

On-Campus Suspension Program

The Board recognizes that students who are suspended from school frequently have no supervision or guidance during the school hours when they are off campus. The Board believes that in many cases, instead of sending the student off campus, it would be better to address the student's misconduct by keeping the student at school and providing him/her with supervision that is separated from the regular classroom.

The Superintendent or designee shall examine alternatives to off-campus suspension and may establish a suspension program which involves progressive discipline during the school day on campus; using conferences between staff, parents/guardians and students; detention; student study teams or other assessment-related teams; and/or referral to school support services staff.

Required Parental Attendance

The Board believes that parental involvement plays an important role in the resolution of classroom behavior problems. The Board expects that teachers will communicate with parents/guardians when behavior problems arise

Whenever a student is suspended from a class because he/she committed an obscene act, engaged in habitual profanity or vulgarity, disrupted school activities or otherwise willfully defied valid staff authority, the teacher of the class from which the student was suspended may require the student's parent/guardian to attend a portion of a school day in that class. After completing the classroom visit and before leaving school premises, the parent/guardian also shall meet with the principal or designee. (Education Code 48900.1)

The Board encourages teachers, before requiring parental attendance, to make reasonable efforts to have the parent/guardian visit the class voluntarily. The teacher also may consider informing the parent/guardian about available resources which may provide help in the development of parenting skills. Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the student and the parent/guardian and to improve classroom behavior.

Parental attendance may be required on the day the student returns to class or within one week thereafter. The principal or designee shall contact any parents/guardians who do not respond to the request to attend school. The Board recognizes that parental compliance with this policy may be delayed, modified or prevented by serious illness/injury/disability, absence from town, or inability to get certain release time from work.

The teacher shall apply this policy uniformly to all students within the classroom. This policy shall apply only to a parent/guardian who actually lives with the student. (Education Code 48900.1)

District regulations and school-site rules for student discipline shall include procedures for implementing parental attendance requirements.

Parents/guardians shall be notified of this policy before it is implemented and at the beginning of each subsequent school year. (Education Code 48900.1, 35291, 48980)

Decision Not to Enforce Expulsion Order

In cases where expulsion is mandatory pursuant to Education Code 48915(c), the enforcement of an expulsion order shall not be suspended by the Board. In all other cases of expulsion, the order for expulsion may be suspended by the Board, on a case-by-case basis, pursuant to the requirements of law.

Definitions

Suspension from school means removal of a student from on going 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, nor referral to a certificated employee designated by the principal to advise students, nor removal from the class without reassignment to another class or program for the remainder of the period, without sending the student to the principal or designee.

2. Removal from a particular class shall not occur more than once every five school days. (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)

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

School property, for the purposes described in Education Code 48900, includes, but is not limited to, electronic files and databases. (Education Code 48900(s))

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, suspension and expulsion. Transfer students and their parents/guardians shall be notified at the time of enrollment. (Education Code 35291.5, 48900.1, 48980)

(cf. 5144 -Discipline)

(cf. 5145.6 Parental Notifications)

Notification shall include information about the ongoing availability of individual school rules and all district policies and regulations pertaining to student discipline. (Education Code 35291)

(cf. 5145.6 -Parental Notifications)

Grounds for Suspension and Expulsion

Students may be suspended or recommended for expulsion when the Superintendent, principal, or principal's designee at the school in which the student is enrolled determines that the student has done any of the acts listed below:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense. (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However, a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code Board Policy Manual Redlands Unified School District 48900(s))

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

(cf. 5 131 - Conduct)

(cf. 5131. 7 - Weapons and Dangerous Instruments)

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

(cf. 5131.6 -Alcohol and Other Drugs)

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

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

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

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

8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products with prior approval of the principal or designee. (Education Code 48900(h))

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

10. Unlawfully possessed, or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code. (Education Code 489000))
11. Disrupted school activities or otherwise willfully defied 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))
12. Knowingly received stolen school property or private property. (Education Code 48900(1))
13. Possessed an imitation firearm, i.e., 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))
14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code 243.4. (Education Code 48900(n))
15. 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))
16. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug soma. (Education Code 48900(p))
17. Engaged in, or attempted to engage in, hazing as defined in Education Code 32050. (Education Code 48900(q))
18. Made terrorist threats against school officials and/or school property. (Education Code 48900.7)

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

19. Committed sexual harassment as defined in Education Code 212.5. (Education Code 48900.2)
20. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 33032.5. (Education Code 48900.3)
21. 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 Glasswork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment (Education Code 48900.4)

(cf. 5145.3 -Nondiscrimination/Harassment)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent/principal or within any other school district, including but not limited to the following circumstances:

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.

The Superintendent/principal may use his/her discretion to provide alternatives to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program. (Education Code 48900(r))

cf. 5138 -Conflict Resolution/Peer Mediation)

Alternatives to suspension or expulsion will be used against students who are truant, tardy, or otherwise absent from assigned school activities.

(cf. 5113 -Absences and Excuses)

(cf. 5113.1 - Truancy)

Suspension from Class by a Teacher/Parental Attendance

A teacher may suspend any student from the teacher's class for any of the acts listed under "Grounds for Suspension and Expulsion" above for the day of the suspension and the day following. (Education Code 48910)

Suspension from class means the removal of a student from class by a teacher for the day of the suspension and the next day. A teacher may suspend a student from class and may also refer a student for consideration of suspension from school for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

When suspending a student from his/her class, the teacher shall immediately report this action to the principal and send the student to the principal for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been suspended.

As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the suspension. A counselor or psychologist should attend the conference if it is practicable, and a school administrator may attend if either the parent/guardian or teacher so request.

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

A student suspended from class shall not be placed in another regular class during the period of suspension. However, if a student is assigned to more than one class per day, he/she may be placed in any 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 suspended student to complete any assignments and tests missed during the suspension. (Education Code 48913)

When a teacher requires a parent/guardian to attend school in accordance with Board Policy, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is required pursuant to law. (Education Code 48900.1)

1. This notice shall also tell the parent/guardian when his/her presence is expected and by what means he/she may arrange any necessary change.
2. The notice shall describe the protections afforded to the parent/guardian as an employee by Labor Code 230.7.
3. The notice shall state that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student.

The teacher shall remind the parent/guardian to meet with the principal or designee after completing the classroom visit and before leaving school premises.

Suspension By Superintendent, Principal Or Principal's Designee

A Superintendent, principal, or principal's designee may suspend a student from a school for any of the acts listed under "Grounds for Suspension and Expulsion" above for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

The Superintendent or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife, as defined in Education Code 48915(g), at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item 414 under "Grounds for Suspension and Expulsion" above.
5. Possession of an explosive as defined in 18 USC 921.

Suspension may be imposed upon a first offense if the Superintendent, principal or designee determines the student violated items (i) - (v) listed in "Grounds For Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903 and 48912)

Suspension Procedures

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the principal or designee or the Superintendent or designee between 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 and the evidence against him/her and shall be given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911(b))

This conference may be omitted if the principal, designee or the Superintendent or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or school personnel. If the pre-suspension conference is not held, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference will be held as soon as the student is physically able to return to school. (Education Code 48911(c))

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior

A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee, who in turn will inform the Board.

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 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 also state the date and time when the student may return to school.

Should school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may also add that state law requires the parent/guardian to respond to such request without delay.

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

While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such conference. The student may not be denied readmission solely because the parent/guardian failed to attend. (Education Code 48911)

5. Extension of Suspension: If the expulsion of a suspended student is being considered by the Board, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision. (Education Code 48911(g))

Any extension of the original period of suspension shall be 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. Extension of the suspension may be made only if 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(g))

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal or Principal's 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 if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. 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 may hold closed sessions if a public hearing would lead to disclosure of information which would violate a student's right to privacy under Education Code 49073-49079.

(cf. 9321 -Closed Session Purposes and Agendas)

The Board shall provide the student with written notice of the closed session by registered or certified mail. Upon receiving this notice the student 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 shall be in closed session. (Education Codes 48912)

Authority to Expel

A student may be expelled only by the Board. The Board shall expel, as required by law, any student found to have committed certain offenses listed below under "Mandatory Recommendation and Mandatory Expulsion."

The Board may also order a student expelled for any of the acts listed above under "Grounds for Suspension and Expulsion" upon recommendation by the principal, Superintendent, hearing officer or administrative panel, based on finding either or both of the following: (Education Code 48915(b) and (e))

1. That other means of correction are not feasible
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

Mandatory Recommendation For Expulsion

The principal, Superintendent or designee shall recommend a student's expulsion for any of the following acts, unless the principal or Superintendent or designee finds, and reports in writing to the Board, that expulsion is inappropriate due to particular circumstances which shall be set out in the report of the incident:

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife as defined in Education Code 48915(g), explosive 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 the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee.

Mandatory Recommendation And Mandatory Expulsion

The principal, Superintendent or designee shall recommend that the Board expel any student found at school or at a school activity off school grounds to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48915(c).1)
2. Brandishing a knife as defined in Education Code 48915(g) at another person. (Education Code 48915(c).2)
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058. (Education Code 48915(c).3)
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above. (Education Code 48915(c).4)
5. Possessing an explosive as defined in 18 USC 921.

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

Student's Right to Expulsion Hearing

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred. (Education Code 48918(a))

The student is entitled to 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 district's discretion. (Education Code 48918(a))

If the district finds it impracticable 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))

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

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 48915.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Education Code 48915.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing.
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies.
3. Have a closed hearing during the time he/she testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48915.5)

Written Notice of the Expulsion Hearing

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least ten 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. A parent/guardian of a student expelled for acts described in paragraphs through 4 of Education Code 48915(a), seeks enrollment in another district they must inform the new district of the student's status with the expelling district, pursuant to Education Code 48915.1.

(cf. 5119 -Students Expelled from Other Districts)

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

Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and Education Code 35145, the Board shall conduct the hearing or arrange for an alternative 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 request is made, the meeting shall be public

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to deliberate and determine if the student should be expelled. If the Board admits any other person to the closed session, the parent/guardian, the student, counsel of the student and counsel of the parent/guardian shall also be allowed to attend the closed session. (Education Code 48918(c))

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

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

3. Presentation of Evidence: While technical rules of evidence do not apply to such hearings, 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 must be supported by substantial evidence that the student committed any of the above acts listed under "Grounds for Suspension and Expulsion" above. Findings of fact shall be based solely on the evidence at the hearing.

While no evidence 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) and

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 Witness: The following procedures shall be observed when hearings involve allegations of sexual assault or sexual battery by a student: (Education Code 48918)

- a. Any complaining witness shall be given five days' notice before being called to testify.
- b. Any complaining witness shall be entitled to have up to two adult support persons, including but not limited to a parent/guardian or legal counsel, present during his/her testimony.
- c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- e. If one or both support persons are also witnesses, the hearing shall be conducted according to Penal Code 868.5.
- f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard.

Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.

g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.

(1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.

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

(3) The person conducting the hearing may:

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

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

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

6. Decision Within Ten Days: The Board's decision on whether to expel a student shall be made within ten school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

7. Decision Within 40 Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative 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. Alternatively, the Board may 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(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified in "Conduct of Expulsion Hearing" above.

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 student shall be immediately reinstated. (See "Reinstatement" below.) The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers and with the student's parent/guardian. (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))

The hearing officer or administrative panel may recommend that the Board suspend the expulsion for a period of one year. (See "Suspension of Expulsion" below.)

The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Stipulated Expulsions

It is the policy of the Redlands Unified School District that, where approved by the Superintendent or designee, parents/guardians may agree to the expulsion of their pupil by stipulation without necessity of a hearing. This process will expedite the pupil's school placement and may expedite the rehabilitation process.

A stipulated expulsion must be purely voluntary. No district administrator or staff member may coerce a pupil, parent or guardian into entering into such a stipulation. Parents/guardians will be given three calendar days to decide on a stipulated expulsion agreement.

If the parent/guardian requests a stipulated expulsion, the Superintendent or designee will promulgate the stipulated agreement. If at any time the parent/guardian decides not to pursue a stipulated agreement, the expulsion proceedings and timelines, extended by the length of the period for consideration of the stipulation, will be reinstated. The stipulated agreement will be presented to the Board for final consideration.

The stipulated agreement will include the terms and conditions of the expulsion order, including alternative placement and a rehabilitation plan to be completed before the student can be re-admitted to the district.

Final Action by the Board

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel, the final action to expel must be taken by the Board at a public meeting. (Education Code 489180)) The Board shall maintain a record of each expulsion, including its cause. Expulsion records shall be non- privileged, disclosable public records.

(cf. 9321.1 - Closed Session Actions and Reports)

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

Upon ordering the 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 an act listed under "Mandatory Recommendation and Mandatory Expulsion" above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. (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 of the student at the time of review for readmission.
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service and other rehabilitative programs.
3. Such other recommendations as the Board approves.

With parental 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)

Upon expulsion, a copy of readmission procedures will be made available to the student and his/her parent/guardian.

Written Notice to Expel

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

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed in Education Code 48900(a)-(o), Education Code 48900.2-48900.4 and Education Code 48915(c). (Education Code 48900.8)
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian. (Education Code 48916)
3. Notice of the right to appeal such expulsion to the County Board of Education. (Education Code 48918)
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion. (Education Code 48918)
5. The notice also shall inform the student or parent/guardian of his/her 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)

Suspension of Expulsion

The Board, upon voting to expel a student, may suspend the enforcement of the expulsion order for not more than one calendar year. When deciding whether to suspend an expulsion, the Board shall take into account the following criteria:

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

The suspension of the enforcement of an expulsion shall be governed by the following: (Education Code 48917)

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.
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status.
3. The suspension of expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion" above or violates any of the district's rules and regulations governing student conduct.
4. When suspension of expulsion order is revoked, a student may be expelled under the terms of the original expulsion order
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expungement of any or all records of the expulsion proceedings.
6. Suspension 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 of Education.
7. 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 also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education. (Education Code 48918(i))

Right to Appeal

The student or parent/guardian is entitled to file an appeal of the Board's decision to the County Board of Education.

The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion action is suspended and the student is placed on probation. (Education Code 48919)

Post-Expulsion Placements

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

(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for acts described in items #6 through # 13 and # 17 through # 19 under "Grounds for Suspension and Expulsion" above may be instead referred to a program of study that is provided at another comprehensive middle, junior, or senior high school, or at an elementary school.

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)

Reinstatement

When the Board accepts a recommendation against expulsion or makes its own decision after the hearing not to expel, the decision is final and the student shall be reinstated immediately. The Superintendent or designee shall place the student in any classroom program, other instructional program, rehabilitation program, or any combination of such programs following consultation with district personnel, including the teacher involved, and with the student's parent/guardian. (Education Code 48918(e))

Readmission

An expulsion order shall remain in effect until the Board may order the readmission of the student.

Readmission procedures shall be as follows:

1. A written request for review of expulsion action and request for readmission shall be submitted by the parent/guardian to the Superintendent or designee.
2. The Superintendent or designee will hold a conference with the parent/guardian and the student.
3. At the conference the conditions for readmission will be reviewed. The Superintendent or designee shall verify that the rehabilitation plan has been met.
4. School regulations will be reviewed and the student and parent/guardian will be asked to indicate in writing their willingness to comply with these regulations.
5. The Superintendent or designee will transmit the request for readmission to the Board, along with his/her recommendation. The Board shall consider the request in closed session if the information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it will be honored.
6. The Superintendent or designee will notify the student or parent/guardian, by registered mail, of the district's decision regarding readmission.
7. 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)
8. 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. (Education Code 48916)
9. 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)

Maintenance of Records

The Board will maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls, within five days of a written request by the admitting school. (Education Code 48900.8, 48918(k))

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

cf. 5119 - Students Expelled from Other Districts)

(cf. 5125 - Student Records)

Notifications and Reports

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

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 also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

Outcome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion.
2. The specific grounds for each recommended expulsion.
3. Whether the student was subsequently expelled.
4. Whether the expulsion order was suspended.
5. The type of referral made after the expulsion.
6. The disposition of the student after the end of the expulsion period.

Suspension and Expulsion/Due Process

Redlands Unified
Administrative Regulation
AR 51441
Adopted June 27, 1995
Students

Definitions

Suspension from school 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. Removal from a particular class shall not occur more than once every five school days.

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

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian or legal counsel. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

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, suspension and expulsion. Transfer students and their parents/guardians shall be notified at the time of enrollment. (Education Code 35291.5, 48900.1, 48980)

(cf. 5144 - Discipline)

Notification shall include information about the ongoing availability of individual school rules and all district policies and regulations pertaining to student discipline. (Education Code 35291)

(cf. 5145.6 - Parental Notifications)

Grounds for Suspension and Expulsion

A student may be subject to suspension or expulsion when it is determined that he/she:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense. (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aide or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code 48900(s))

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

(cf. 5131 - Conduct)

(cf. 5131.7 - Weapons and Dangerous Instruments)

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

(cf. 5131.6 - Alcohol and Other Drugs)

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

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

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

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

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

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

10. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5. (Education Code 48900(j))

11. Disrupted school activities or otherwise willfully defied 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))

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

13. Possessed an imitation firearm, i.e., 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))

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

15. 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))

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

Pursuant to Education Code 48900.7, the making of a terrorist threat includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person or property damage in excess of \$1,000.00, 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.

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

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

Pursuant to Education Code 48900.2 the conduct constitutes harassment when considered from the perspective of a reasonable person of the same gender as the victim to be 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.

(cf. 5145.7 - Sexual Harassment)

18. 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)

(cf. 5145.9 - Hate-Motivated Behavior)

Education Code 233 defines "hate violence" as any act punishable under Penal Code 422.6, 442.7 or 422.75. Such acts include injuring or intimidating another person, interfering with the exercise of a person's civil rights, or damaging a person's property because of the person's race, color, religion, ancestry, national origin, disability, gender or sexual orientation.

19. Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading student rights by creating an intimidating or hostile educational environment. (Education Code 48900.4)

(cf. 5145.3 - Nondiscrimination/Harassment)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent or principal or within any other school district, including but not limited to the following circumstances: (Education Code 48900)

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.

The Superintendent or principal may use his/her discretion to provide alternative to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program. (Education Code 48900(r))

Alternatives to suspension or expulsion will be used with students who are truant, tardy, or otherwise absent from assigned school activities.

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Truancy)

Removal from Class by a Teacher/Parental Attendance

A teacher may suspend any student from his/her class for the remainder of the day and the following day for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

A teacher also may refer a student to the principal or designee for consideration of suspension from school. (Education Code 48910)

When removing a student from his/her class, the teacher shall immediately report this action to the principal and send the student to the principal for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been removed.

As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the removal. A counselor or psychologist should attend the conference if it is practicable, and a school administrator may attend if either the parent/guardian or teacher so requests.

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

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

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

Pursuant to Board policy, a teacher may provide that the parent/guardian of a student whom the teacher has removed attend a portion of a school day in his/her child's classroom. When a teacher makes this request, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is requested pursuant to law. (Education Code 48900.1)

This notice shall also:

1. Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternate date.
2. Describe the legal protections afforded to the parent/guardian as an employee under Labor Code 230.7.
3. State that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student.
4. Ask the parent/guardian to meet with the principal after the visit and before leaving school, as required by Education Code 48900.1.

Suspension by Superintendent, Principal or Principal's Designee

The Superintendent, principal or principal's designee may suspend a student from a school for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

The Superintendent or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife, as defined in Education Code 48915(g), at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion".
5. Possession of an explosive as defined in 18 USC 921.

Suspension also may be imposed upon a first offense if the Superintendent, principal or designee determines the student violated items #1-5 listed in "Grounds for Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903, 48912)

The Superintendent or designee may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which a student may be suspended in any school year. (Education Code 48903)

Suspensions shall be initiated according to the following procedures:

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the principal, designee or the Superintendent 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 and the evidence against him/her; the student shall be given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911(b))

This conference may be omitted if the principal, designee or the Superintendent determines that an emergency situation exists. An "emergency situation" involves 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 a conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference will be held as soon as the student is physically able to return to school. (Education Code 48911(c))

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee.

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 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 also state the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may add that state law requires the parent/guardian to respond to such requests without delay.

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

While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such conference. The student may not be denied readmission solely because the parent/guardian failed to attend. (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. (Education Code 48911(g))

Any extension of the original period of suspension shall be 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. Extension of the suspension may be made only if 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)

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal or Principal's 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 if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. 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 closed sessions if a public hearing would lead to disclosure of information violating a student's right privacy under Education Code 49073-49079.

(cf. 9321 - Closed Session Purposes and Agendas)

The Board shall provide the student and his/her parent/guardian with written notice of the closed session by or certified mail. 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 Codes 35146, 48912)

On-Campus Suspension Program

Students for whom an expulsion action has not been initiated and who pose no imminent danger or threat to the school may be assigned to a separate, supervised suspension classroom for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

1. The supervised suspension classroom shall be staffed in accordance with law.
2. The student shall have access to appropriate counseling services.
3. The supervised suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.
4. Each student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom. The teacher 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 a supervised 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 shall be made in writing. (Education Code 48911.1)

Authority to Expel

A student may be expelled only by the Board. The Board shall expel, as required by law, any student found to have committed certain offenses listed below under "Mandatory Recommendation and Mandatory Expulsion."

The Board also may order a student expelled for any of the acts listed under "Grounds for Suspension and Expulsion" upon recommendation by the principal, Superintendent, hearing officer or administrative panel, based on finding 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.

Mandatory Recommendation for Expulsion

Unless the principal, Superintendent or designee finds that expulsion is inappropriate due to particular circumstances, the principal, Superintendent or designee shall recommend a student's expulsion for any of the following acts: (Education Code 48915 (a))

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife as defined in Education Code 48915(g), explosive or other dangerous object of no reasonable use to the student.
3. Unlawful possession of any controlled substance, as listed in the Health and Safety Code 11053-11058, except for the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee.

Mandatory Recommendation and Mandatory Expulsion

Note: The Attorney General has determined, in 80 Ops.Cal. Atty. Gen. 347 (1997), that a district may not adopt a zero tolerance policy mandating expulsion of a student for a first offense of possession of a controlled substance or alcohol.

The principal, Superintendent or designee shall recommend that the Board expel any student found at school or at a school activity to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife as defined in Education Code 48915(g) at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above.
5. Possessing an explosive as defined in 18 USC 921.

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

The initial recommendation for consideration of expulsion is that of the school principal or the Superintendent. Designees may not make this type of recommendation.

The recommendation for consideration of expulsion shall be submitted to the Director, Office of Student Services, who will review the material and recommend:

1. Reassignment to appropriate regular education program.
2. Refer student to Alternative Program; i.e., Community School, Independent Study, Continuation or Opportunity School, or other district programs.
3. Refer the matter to the Discipline Review Panel for further consideration.

When a case is referred to the discipline Review Panel, the panel shall question school personnel who have information on the incident and the behavior record of the student charged and weighs the evidence presented.

The panel shall, in the case of an expulsion consideration, weigh information presented to determine:

- a. Is the evidence sufficient to support consideration by the expulsion panel?
- b. Has the district, through the schools involved, considered or utilized alternatives to expulsion when possible?
- c. Have due process procedures been adhered to?

The recommendation shall be either to proceed with the expulsion or to utilize an existing practical alternative in lieu of expulsion.

If the district (school) has not adhered to due process requirements, the student shall be returned to school immediately.

If the Discipline Review Panel meets to consider a matter other than an expulsion, it shall provide its best judgment as to an effective alternative program or plan to action.

The recommendation of the Discipline Review Panel shall be forwarded to the Director, Office of Student Services, who shall then review the facts, concur, veto or modify the recommendation.

4. That an expulsion panel be convened.

At the time a recommendation for expulsion is submitted, a hearing shall be scheduled by the Superintendent or designee to determine whether the suspension shall be extended. If the decision is to extend the suspension, the period of time shall be until the Board has rendered a decision or until the expulsion process is otherwise terminated.

The extension of suspension shall be based upon determination by the Superintendent or designee that the presence of the student at the school or in an alternative school placement would cause a danger to persons or property or a threat of disrupting the instructional process. This extension shall be imposed only after the student and the parent/guardian have been given the opportunity to be present at a hearing conducted by the Superintendent or designee. At this time, the student and parent/guardian shall be given the opportunity to be heard and present any information that might bear upon the decision.

Materials which support the decision of the person recommending the expulsion shall be prepared and submitted to the Office of Student Services. The departments of Attendance, Guidance, Special Education and/or Health may be requested to assist in the preparation of this material.

Student's Right to Expulsion Hearing

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred. (Education Code 48918 (a))

The student is entitled to 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 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 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 no 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))

Waiver of Hearing (Default Proceedings)

If the parent/guardian agrees that their son/daughter behaved essentially in the manner stated in the principals letter recommending expulsion and that such behavior constitutes a violation of the California Education Code, Section 48900, 48900.2, 48900.3, 48900.4, 48900.7 and/or 48915 a suspendable/expellable offense, the parent/guardian may request to waive the Administrative Hearing Panel.

When the parent/guardian agrees to waive the Administrative Hearing Panel, they also waive all notification and timelines related to the expulsion hearing process, along with their rights to appeal the determination of the Board.

The signed affidavit and findings of fact will be submitted to the Board for their approval. The Board has the discretionary power to accept, reject, or modify all recommendations.

Rights of Complaining Witness

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

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

1. Receive five days' notice of his/her scheduled testimony at the hearing.
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies.
3. Have a closed hearing during the time he/she testifies.

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

Written Notice of the Expulsion Hearing (Education Code 48918(b))

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

1. The date and place of the hearing.
2. A statement of the specific facts, charges and offense upon which the proposed expulsion is based.
3. A copy of district disciplinary rules which relate to the alleged violation.
4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment. This obligation applies when a student is expelled for acts other than those described in Education Code 48915 (a) or (c).
(cf. 5119 - Students Expelled from other Districts)

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

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

Non-attorney advisor 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.

Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and 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 request is made, the meeting shall be public, unless another student's privacy rights would be violated.

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to determine if the student should be expelled. If the Board admits any other person to the closed session, the parent/guardian, the student, and the counsel of the student, shall also be allowed to attend the closed session. (Education Code 48918(c))

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

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

3. Subpoenas: Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with the Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20, formerly 11525. (Education Code 48918(i))

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

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

4. Presentation of Evidence: While technical rules of evidence do not apply to expulsion hearings, 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 must be supported by substantial evidence that the student committed any of the acts listed in "Grounds for Suspension and Expulsion" above.

Findings of fact shall be based solely on the evidence at the hearing. While no evidence 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) and (h))

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

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

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

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

6. Decision Within 10 Days: The Board's decision on whether to expel a student shall be made within 10 school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

7. Decision Within 40 Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

Instead of conducting an expulsion hearing itself, the Board may contract with the county hearing officer or with the Office of Administrative Hearings of the State of California for a hearing officer. Alternatively, the Board may 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(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified in "Conduct of Expulsion Hearing."

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 student shall be immediately reinstated. (See "Reinstatement.") The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers, and with the student's parent/guardian. (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 for a period of one year. (See "Decision Not to Enforce Expulsion Order" below.)

The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

The Discipline Review Panel

The Discipline Review Panel will consist of elementary educators when a review is being made of an elementary student and of secondary educators when a review is being made of secondary student.

1. The Discipline Review Panel shall hear the following types of disciplinary cases:

a. Requests for expulsion from site principals or the Superintendent.

b. School site administrative requests for assistance (non-expulsion situations).

2. Each discipline review panel shall consist of three certificated persons plus a chairperson and shall consist of elementary educators when a review is being made of an elementary student and of secondary educators when a review is being made of a secondary student. A panelist may not serve on any panel involving a student who is currently attending the school in which he/she is assigned. A representative from Student Services shall be a nonvoting member of each panel.

A chairperson and assistant chairperson, to serve when the chairperson is unable to serve, shall be appointed by the Superintendent or designee and shall serve at his/her pleasure. Neither shall be a member of the Student Services staff.

A pool of panelists shall be established which shall be composed of personnel who have served or are currently serving as members of administrative expulsion panels. The committee chairman shall select members to serve on individual panels.

The meetings of the discipline review panel are open to school district personnel only.

The duties of the Discipline Review Panel are as follows:

1. The chairperson shall call a meeting of the panel as soon as possible, but no later than 10 school days after the receipt of notice of a pending case.

2. A recommendation must be forwarded to the Director, Office of Student Services, within three days of the review hearing.
3. In the event a member of the committee cannot be present at a meeting, the Director, Office of Student Services, will appoint an alternate from the pool to attend.

Final Action by the Board

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel, the final action to expel shall be taken by the Board at a public meeting. (Education Code 48918(jj))

(cf. 9321.1 - Closed Session Actions and Reports)

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

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 an act listed under "Mandatory Recommendation and Mandatory Expulsion" above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. (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 of the student at the time of review for readmission.
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service and other rehabilitative programs.

With parental 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 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 in Education Code 48900 (a)-(o), Education Code 48900.2-48900.4, Education Code 48915 (c) and (Education Code 48900.8).
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian. (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Governing Board. (Education Code 48918)
4. Notice of the alternative educational placements 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 Not to Enforce Expulsion Order

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

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

The suspension of the enforcement of an expulsion shall be governed by the following: (Education Code 48917)

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.
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status.

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” above or violates any of the district’s rules and regulations governing student conduct.
4. When the suspension of the enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order.
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings.
6. 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 County Board of Education.
7. 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 also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education. (Education Code 48918 (j))

Right to Appeal

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

Post-Expulsion Placements

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

(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for acts described in items #6 through #13 and #17 through #19 under “Grounds for Suspension and Expulsion” may be instead 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

Readmission procedures shall be as follows:

1. On the date set by the Board when it ordered the expulsion, the district shall consider readmission of the student. (Education Code 48916)
2. 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.
3. The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session if information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it shall be honored.
4. 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.
5. 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)
6. 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. (Education Code 48916)

7. 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)

Maintenance of Records

The Board shall maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls, within five days of a written request by the admitting school. (Education Code 48900.8, 48918(k))

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

(cf. 5119 - Students Expelled from Other Districts)

(cf. 5125 - Student Records)

Notifications 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 also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

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

Ouome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion.
2. The grounds for each recommended expulsion.
3. Whether the student was subsequently expelled.
4. Whether the expulsion order was suspended.
5. The type of referral made after the expulsion.
6. The disposition of the student after the end of the expulsion period.

Regulation: REDLANDS UNIFIED SCHOOL DISTRICT

Approved: June 27, 1995, Redlands, California

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

Whenever a student is identified as violent or dangerous per E.C. 49079 the teacher will be informed by the principal. The teacher shall keep this information in confidence and must not further disseminate it. However, if the teacher believes that the student is improperly placed (or is an immediate danger) these opinions (and related observations) should be shared with the principal immediately. The District office also has a responsibility to insure that all appropriate actions are taken to identify, notify and support necessary interventions with regard to violent or dangerous pupils. Student Services Department notifies Principals at the beginning of each school year of students who were suspended in the prior year. Principals, in turn, notify the current teacher.

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

Policy 4119.11: Sex Discrimination and Sex-Based Harassment

The Governing Board is committed to providing a safe work environment that is free of harassment and intimidation. The Board prohibits sexual harassment against district employees by anyone, in any manner, and prohibits retaliatory action or behavior against any persons who complains, testifies, or otherwise participates in the complaint process established pursuant to this policy and accompanying administrative regulation. This policy shall apply to all district employees, interns, volunteers, contractors, job applicants, and other persons with an employment relationship with the district.

(cf. 0410 - Nondiscrimination in District Programs and Activities) (cf. 4030 - Nondiscrimination in Employment)

Sexual harassment includes, but is not limited to, harassment that is based on the sex, gender, gender identity, gender expression, or sexual orientation of the victim and harassment based on pregnancy, childbirth, or related medical conditions.

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation, and correction of sexual harassment, including but not limited to:

1. Providing training to all staff in accordance with law and administrative regulation.
2. Publicizing and disseminating the district's sexual harassment policy to staff.
3. Ensuring prompt, thorough, equitable, and fair investigation of complaints
4. Taking timely and appropriate corrective/remedial actions which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments.

The Superintendent or designee shall periodically evaluate the effectiveness of the district's strategies to prevent and address harassment. Such evaluation may involve conducting regular anonymous employee surveys to assess whether harassment is occurring or is perceived to be tolerated, partnering with researchers or other agencies with the needed expertise to evaluate the district's prevention strategies, and using any other effective tool for receiving feedback on systems and/or processes. As necessary, changes shall be made to the harassment policy, complaint procedures, or training.

Sexual Harassment Reports and Complaints

Any district employee who feels that he/she has been sexually harassed in the performance of their district responsibilities or who has knowledge of any incident of sexual harassment by or against another employee shall immediately report the incident to his/her supervisor, the principal, other district administrator, or the district's Title IX Coordinator. However, an employee may bypass his/her supervisor in filing a complaint if the supervisor is the subject of the complaint. A supervisor, principal, or district administrator who receives a harassment complaint shall promptly notify the Title IX Coordinator.

Once notified, the Title IX Coordinator shall ensure the complaint or allegation is addressed through AR 4119.12/4219.12/4319.12 – Title IX Sexual Harassment Complaint Procedures or AR 4030- Nondiscrimination in Employment, as applicable. Because a complaint or allegation that is dismissed or denied under the Title IX complaint procedure may still be subject to consideration under state law, the Title IX Coordinator shall ensure that any implementation of AR 4119.12/4219.12/4319.12 concurrently meets the requirements of AR 4030.

Notwithstanding the above, BP/AR 4119.12/4219.12/4319.12 and 4030 shall under no circumstances be used to resolve complaints brought by, on behalf of, or against students. All complaints brought by, on behalf of, or against students that allege "sexual harassment" as that term is defined in the federal regulations implementing Title IX of the Education Amendments of 1972 (see 34 C.F.R. § 106, et seq.) shall be investigated and resolved under BP/AR 5145.71. All complaints brought by, on behalf of, or against students that do not meet the definition of "sexual harassment" as set forth in the Title IX implementing regulations shall be investigated and resolved under BP/AR 1312.3.

(cf. 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaints)

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

Upon investigation of a sexual harassment complaint, any district employee who engages, or participates in sexual harassment, or who aids, abets, incites, compels, or coerces another to commit sexual harassment in violation of this policy is subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Reports) (cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4218 -

Dismissal/Suspension/Disciplinary Action)

Regulation 4119.12: Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures

The complaint procedures described in this administrative regulation shall be used to address any complaint governed by Title IX of the Education Amendments of 1972 alleging that a district employee, while in an education program or activity in which a district school exercises substantial control over the context and respondent, was subjected to one or more of the following forms of sexual harassment: (34 CFR 106.30, 106.44)

1. A district employee conditioning the provision of a district aid, benefit, or service on a person's participation in unwelcome sexual conduct
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291 (cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

All other sexual harassment complaints or allegations shall be investigated and resolved in accordance with AR 4030

- Nondiscrimination in Employment. The determination of whether the allegations meet the definition of sexual harassment under Title IX shall be made by the district's Title IX Coordinator.

(cf. 4030 - Nondiscrimination in Employment)

Because the complainant has a right to pursue a complaint under AR 4030 for any allegation that is dismissed or denied under the Title IX complaint procedure, the Title IX Coordinator shall ensure that all requirements and timelines for AR 4030 are concurrently met while implementing the Title IX procedure.

Reporting Allegations/Filing a Formal Complaint

An employee who is the alleged victim of sexual harassment may submit a report of sexual harassment to the district's Title IX Coordinator using the contact information listed in AR 4119.11/4219.11/4319.11 - Sexual Harassment or to the employee's direct supervisor or other district administrator, who shall forward the report to the Title IX Coordinator within one day of receiving the report. Upon receiving such a report, the Title IX Coordinator shall inform the complainant of the right to file a formal complaint and the process for filing a formal complaint.

A formal complaint, with the complainant's physical or digital signature, may be filed with the Title IX Coordinator in person, by mail, by email, or by any other method authorized by the district. (34 CFR 106.30)

Even if the alleged victim chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations when a safety threat exists. In addition, the Title IX Coordinator may file a formal complaint in other situations as permitted under the Title IX regulations, including as part of the district's obligation to not be deliberately indifferent to known allegations of sexual harassment. In such cases, the Title IX Coordinator shall provide the alleged victim notices as required by the Title IX regulations at specific points in the complaint process.

The Title IX Coordinator, investigator, decision-maker, or a facilitator of an informal resolution process shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. Such persons shall receive training in accordance with 34 CFR 106.45. (34 CFR 106.45)

Supportive Measures

Upon receipt of a report of Title IX sexual harassment, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures and shall consider the complainant's wishes with respect to the supportive measures implemented. Supportive measures shall be offered as appropriate, as reasonably available, and without charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures shall be nondisciplinary, nonpunitive, and not unreasonably burden the other party, including measures designed to protect the safety of all parties or the district's educational environment or to deter sexual harassment. Supportive measures may include, but are not limited to, counseling, extensions of deadlines, modifications of work schedules, mutual restrictions on contact, changes in work locations, leaves of absence, increased security, and monitoring of certain areas of the campus. (34 CFR 106.30, 106.44)

The district shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the district's ability to provide the supportive measures. (34 CFR 106.30)

Emergency Removal

If a district employee is the respondent, the employee may be placed on administrative leave during the pendency of the formal complaint process. (34 CFR 106.44)

If the respondent is a student, the district may, on an emergency basis, remove the student from the district's education program or activity, provided that the district conducts an individualized safety and risk analysis, determines that removal is justified due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations, and provides the student with notice and an opportunity to challenge the decision immediately following the removal. This authority to remove a student does not modify a student's rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973. (34 CFR 106.44)

Dismissal of Complaint

The Title IX Coordinator shall dismiss a formal complaint if the alleged conduct would not constitute sexual harassment as defined in

34 CFR 106.30 even if proved. The Title IX Coordinator shall also dismiss any complaint in which the alleged conduct did not occur in the district's education program or activity or did not occur against a person in the United States, and may dismiss a formal complaint if the complainant notifies the district in writing that the complainant would like to withdraw the complaint or any allegations in the complaint, the respondent is no longer employed by the district, or sufficient circumstances prevent the district from gathering evidence sufficient to reach a determination with regard to the complaint. (34 CFR 106.45)

Upon dismissal, the Title IX Coordinator shall promptly send written notice of the dismissal and the reasons for the dismissal simultaneously to the parties and shall inform them of their right to appeal the dismissal of a formal complaint or any allegation in the complaint in accordance with the appeal procedures described in the section "Appeals" below. (34 CFR 106.45)

If a complaint is dismissed, the conduct may still be addressed pursuant to AR 4030 - Nondiscrimination in Employment as applicable.

Informal Resolution Process

When a formal complaint of sexual harassment is filed, the district may offer an informal resolution process, such as mediation, at any time prior to reaching a determination regarding responsibility. The district shall not require a party to participate in the informal resolution process or to waive the right to an investigation and adjudication of a formal complaint. (34 CFR 106.45)

The district may facilitate an informal resolution process provided that the district: (34 CFR 106.45)

1. Provides the parties with written notice disclosing the allegations, the requirements of the informal resolution process, the right to withdraw from the informal process and resume the formal complaint process, and any consequences resulting from participating in the informal resolution process, including that records will be maintained or could be shared.
2. Obtains the parties' voluntary, written consent to the informal resolution process

Written Notice

If a formal complaint is filed, the Title IX Coordinator shall provide the known parties with written notice of the following: (34 CFR 106.45)

1. The district's complaint process, including any informal resolution process
2. The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known. Such notice shall be provided with sufficient time for the parties to prepare a response before any initial interview. If, during the course of the investigation, new Title IX allegations arise about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.
3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process
4. The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an attorney, and the ability to inspect and review evidence
5. The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process

The above notice shall also include the name of the investigator, facilitator of an informal process, and decision-maker and shall inform the parties that, if at any time a party has concerns regarding conflict of interest or bias regarding any of these persons, the party should immediately notify the Title IX Coordinator.

Investigation Procedures

During the investigation process, the district's designated investigator shall: (34 CFR 106.45)

1. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and

exculpatory evidence

2. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence
3. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney
4. Not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding, although the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as the restrictions apply equally to both parties
5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate
6. Send in an electronic format or hard copy to both parties and their advisors, if any, the evidence obtained as part of the investigation that is directly related to the allegations raised in the complaint, and provide the parties at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report
7. Objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and determine credibility in a manner that is not based on a person's status as a complainant, respondent, or witness
8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review and written response

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. (34 CFR 106.45)

Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.

If the complaint is against an employee, rights conferred under an applicable collective bargaining agreement shall be applied to the extent they do not conflict with the Title IX requirements.

Written Decision

The Superintendent shall designate an employee as the decision-maker to determine responsibility for the alleged conduct, who shall not be the Title IX Coordinator or a person involved in the investigation of the matter. (34 CFR 106.45)

After the investigative report has been sent to the parties but before reaching a determination regarding responsibility, the decision-maker shall afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party.

The decision-maker shall issue, and simultaneously provide to both parties, a written decision as to whether the respondent is responsible for the alleged conduct. (34 CFR 106.45)

The written decision shall be issued within 60 calendar days of the receipt of the complaint.

The timeline may be temporarily extended for good cause with written notice to the complainant and respondent of the extension and the reasons for the action. (34 CFR 106.45)

In making this determination, the decision-maker shall use the "preponderance of the evidence" standard for all formal complaints of sexual harassment. (34 CFR 106.45)

The written decision shall include the following: (34 CFR 106.45)

1. Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR 106.30

2. A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the district includes hearings as part of the grievance process
3. Findings of fact supporting the determination
4. Conclusions regarding the application of the district's code of conduct or policies to the facts
5. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's educational program or activity will be provided by the district to the complainant
6. The district's procedures and permissible bases for the complainant and respondent to appeal

Appeals

Either party may appeal the district's decision or dismissal of a formal complaint or any allegation in the complaint, if the party believes that a procedural irregularity affected the outcome, new evidence is available that could affect the outcome, or a conflict of interest or bias by the Title IX Coordinator, investigator(s), or decision-maker(s) affected the outcome. If an appeal is filed, the district shall: (34 CFR 106.45)

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties
2. Ensure that the decision-maker(s) for the appeal is trained in accordance with 34 CFR 106.45 and is not the same decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator
3. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome
4. Issue a written decision describing the result of the appeal and the rationale for the result
5. Provide the written decision simultaneously to both parties

An appeal must be filed in writing within 10 calendar days of receiving the notice of the decision or dismissal, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered.

A written decision shall be provided to the parties within 20 calendar days from the receipt of the appeal.

Either party has the right to file a complaint with the U.S. Department of Education's Office for Civil Rights within 180 days of the date of the most recently alleged misconduct.

The complainant shall be advised of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal antidiscrimination laws, if applicable.

Remedies

When a determination of responsibility for sexual harassment has been made against the respondent, the district shall provide remedies to the complainant. Such remedies may include the same individualized services described above in the section "Supportive Measures," but need not be nondisciplinary or nonpunitive and need not avoid burdening the respondent. (34 CFR 106.45)

Disciplinary Actions

The district shall not impose any disciplinary sanctions or other actions against a respondent, other than supportive measures as described above in the section "Supportive Measures," until the complaint procedure has been completed and a determination of responsibility has been made. (34 CFR 106.44)

When an employee is found to have committed sexual harassment or retaliation, the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Report)

(cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4119.11/4219.11/4319.11 - Sexual Harassment) (cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Record-Keeping

The Superintendent or designee shall maintain, for a period of seven years: (34 CFR 106.45)

1. A record of all reported cases and Title IX investigations of sexual harassment, any determinations of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary sanctions imposed, any remedies provided to the complainant, and any appeal or informal resolution and the results therefrom.
2. A record of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment, including the district's basis for its conclusion that its response was not deliberately indifferent, the measures taken that were designed to restore or preserve equal access to the education program or activity, and, if no supportive measures were provided to the complainant, the reasons that such a response was not unreasonable in light of the known circumstances.
3. All materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process. The district shall make such training materials publicly available on its web site, or if the district does not maintain a web site, available upon request by members of the public.

(cf. 1113 - District and School Web Sites) (cf. 3580 - District Records)

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

Policy 5132.16: Student Dress Guidelines

The Governing Board believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Students' clothing must not present a health or safety hazard or a distraction which would interfere with the educational process.

Students and parents/guardians shall be informed about dress and grooming standards at the beginning of the school year and whenever these standards are revised. A student who violates these standards shall be subject to appropriate 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 dress code may be included as part of the school safety plan and must be presented to the Board for approval. The Board shall approve the plan upon determining that it is necessary to protect the health and safety of the school's students.

Uniforms

The Board recognizes that, in order to promote student safety and discourage peer rivalry and/or gang activity, the principal, staff and parent/guardian at a school site may wish to establish a reasonable dress code, which may include voluntary school uniforms.

Dress codes, which include voluntary school uniforms, may be included as part of the school safety plan submitted as required.

The Superintendent or designee shall establish procedures that schools, parents and guardians will follow if they decide to participate with the voluntary school uniform policy. Students shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardian decide not to participate.

The Governing Board feels that there is nothing inherently wrong with dress or color of dress, but when student's dress serves to intimidate or impede the rights of other students it will be determined that dress is in violation of this policy. A student may not remain at school dressed in a manner which (1) creates a safety hazard for said student or for other students at school, and/or (2) when the dress constitutes a serious and unnecessary distraction to the learning process or tends to disrupt campus order

When the site administrator/designee determines that a student's attire is in violation of this policy, the student will be required to modify his/her clothing and/or apparel in such a manner that it no longer violates this policy. If necessary, the student may be taken or sent home with parental permission to modify unacceptable dress and return to school. Refusal to take steps as described in this policy shall be cause for disciplinary action against the student. Any such disciplinary action shall be handled pursuant to existing student disciplinary policy

Parents/guardians have primary responsibility to see that students are properly attired for school. School district personnel have the responsibility for maintaining proper and appropriate conditions conducive to learning. Hence, the following guidelines will be implemented in all district schools.

1. Shoes will be worn at all times. A substantial sole is required and enclosed toe and heel footwear are highly encouraged.
2. Extremely brief garments that are distracting to the educational environment are not appropriate. Clothing shall be sufficient to conceal undergarments at all times.
3. Clothing or accessories shall be free of writing, pictures or any other insignia which are crude, violent, obscene or sexually suggestive or which advocate racial, ethnic or religious prejudice or the use of tobacco, drugs or alcohol.
4. Earrings, jewelry, or accessories which present a safety hazard to the wearer or others are not suitable for school wear.
5. Only prescription sunglasses may be worn in class. Other types of sunglasses may be worn on campus outside of class.
6. Identified gang attire such as bandannas, haircuts or hair rollers, or any gang paraphernalia are prohibited.

Students are allowed to wear sun protective clothing, including hats, while outdoors during the school day. Each school site will develop a policy indicating the type of sun protective hats that are permitted.

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

The purpose of adopting these Student Dress Guidelines is not to infringe on any individual student's rights to freedom of expression, but rather to encourage students to dress appropriately and come to school properly prepared for participating in the educational process.

Gang-Related Apparel

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed as needed and updated as necessary.

Uniforms

In schools where a majority of parents respond and indicate on a survey that they desire to establish a voluntary school-wide uniform dress code, the principal, staff and the parents/guardians of the individual school site shall:

1. Jointly select the specific uniform to be worn. (Education Code 35183)
2. Describe the uniform parts and identify local vendors who sell those pieces of clothing. A description of the implementation of the voluntary uniform dress code will be submitted to the superintendent's designee including:
 - a. The process for parent notification
 - b. Positive procedures that will be used to encourage students to participate with the voluntary uniform dress code
3. A description of the uniform and a list of costs for each competitively priced item of clothing as provided by a variety of vendors will be sent to parents.
4. Parents will be notified that this is a voluntary uniform dress code and that students not participating shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardians so decide.

Parent Notification

The principal shall give parents/guardian at least six months notice before a school site implements a voluntary school uniform dress code. (Education Code 35183)

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

Closed campus: All doors which provide access to classrooms and other rooms, except the main office, remain locked. All visitors to the campus must come through the office to sign in through the Raptor System and obtain a visitor's badge which they must wear for the duration of the time they are on campus. All perimeter gates are locked during school hours.

Leaving early: Students must stay on campus from the time of arrival in the morning until school ends. Students may leave campus during school hours if parents, guardians, or persons designated by parents or guardians come to pick them up from school. A prior written request from a parent or guardian must be submitted if someone other than the parent or someone on the emergency card is going to pick up a child. Persons picking up students during the school day must sign the student out in the front office. They must be at least 18 years of age and provide a valid ID. Under no circumstances should a student leave campus without permission.

Late arrivals: If a student is late in the morning, they must report to the office for a late slip and then quickly go to class.

Volunteers: Judson and Brown appreciates our volunteers. School volunteers are required to fill out a volunteer application. Upon clearance you may begin volunteering. Volunteers are required to check in with school personnel at each visit.

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

Component:

Safe Physical School Environment

The Schools' Location and Physical Environment

Judson & Brown Elementary School is located in the Redlands area of San Bernardino County that has an average crime rate and an average poverty level. The immediate area round the school includes orange groves on 2 sides of the school grounds. Pennsylvania Avenue is a round about leading into two community developments. Judson street, an older small road through orange groves is lightly traveled throughout the day. However, with housing tracts now being built on all sides of the school the streets have been widened. Pennsylvania Avenue was widened in the summer of 2019. Traffic is a concern for the community. Present safety hazards include End of day dismissal. Community members drive recklessly endangering students. Community members park in red zones, the MTU parking lot and park in areas that handicap buses load and unload students. 4 new developments in the immediate area of the school have created more truck traffic and more car traffic in the morning..

Description of School Grounds

The school site encompasses 9 acres. The grounds are grass, concrete and asphalt and includes basketball and volleyball courts, baseball diamonds and a lined track. There are several wings and/or clusters of classrooms including 23 classrooms 0 re-locatable classrooms. Other ancillary structures include A Medical Therapy Unit (MTU) and two County classrooms as well as our MPR (Multi-Purpose Room) and Library,.

During the school day, staff members and administrators shall provide campus supervision. Identified problem areas receive increased supervision to reduce discipline, crime, or other school safety concerns.

It shall be the practice of Judson & Brown Elementary School to remove all graffiti from school property before pupils arrive to begin their school day. Other acts of vandalism are promptly addressed.

Maintenance of School Buildings/Classrooms

The school's physical facility is well maintained and generally looks neat and clean. The school was most recently painted during the 2021-2022 school year renovated during the 2010 year. District personnel periodically examine the school's physical facility and help eliminate obstacles to school safety. Additionally, health and fire department inspectors contribute to school safety.

Repair and upgrading are done through regular work orders to continue the proper maintenance of the school.

Internal Security Procedures

Judson & Brown Elementary School has established procedures in the following areas: California Safe School Assessment (CSSA) reporting procedures, suspension and expulsion procedures, inventory system, and Visitor check in/check out log books as well as the RAPTOR system which requires visitors to produce identification processed through the RAPTOR system which checks through the MEGANS LAW website - visitors are required to wear a sticker upon entrance of the office and campus gates. The school checks the Megan's Law website for all volunteers. TB tests and fingerprinting are performed for classroom volunteers and Board Approval for volunteers. Discipline and Procedure Manual developed and implemented; positive rewards and consequences for behavior, Peace Builder Character Ed. implemented school-wide to assist with positive behavior supports. District wide Lock-Down procedures and updated School Safety plan as well as meetings of the Safety Committee comprised of parents. Eric Torres, district safety manager is included in safety reporting and concerns noted on campus. A new Parent/Student handbook is posted on our school website..

Judson & Brown Elementary School crime statistics reflect a total of 0 crimes reported during the 2023-2024 school year.

Keeping reportable crimes at a minimum requires constant vigilance. The following strategies will be utilized in achieving this goal Maintenance of surveillance video cameras, Volunteer/Parent/Community member check in through RAPTOR in the office, communication with Sheriff's department, locking of gates and classrooms during the day, the WeTip hotline as well as SEE SOMETHING SAY SOMETHING - 1-800-827-8724 (the CFS 24 hour hotline), continuation of lock down drills, fire and earthquake drills are some strategies utilized.

Judson & Brown Elementary School maintains a copy of the district's sexual harassment policy in the main office/principal's office and the policy is available on request. The District's Sexual Harassment Policy contains dissemination plans, applicable definitions, reporting requirements, investigation procedures, enforcement regulations, and information related to suspension and/or expulsion for sexual harassment of or by pupils. Additionally, a notice summarizing this sexual harassment policy appears in the Parent & Student Handbook, The parent student handbook is distributed at the beginning of each school year to all parents and pupils.

To ensure the safety of pupils and staff, all visitors to the campus, except pupils of the school and staff members, shall register immediately upon entering any school building or grounds when school is in session. District employees, not assigned to Judson & Brown Elementary School shall wear appropriate identification badges while on campus conducting business.

Discipline procedures shall focus on finding the cause of problems and working with all concerned to reach the proper, lawful solutions. The school's discipline plan begins at the classroom level. Teachers shall use a visible classroom management plan to communicate classroom rules, promote positive pupil conduct, and reduce unacceptable conduct. Appropriate consequences are administered based on the seriousness of the pupil's misbehavior.

Pupil conduct standards and consequences for Judson & Brown Elementary School are specifically described in this Comprehensive Schools Safety Plan including: (a) the adopted school discipline rules and procedures, (b) District Disciplinary Guidelines, and (c) the adopted school-wide dress code.

Pupils may be suspended, transferred to another school, or recommended for expulsion for certain acts. For specific student violations, a mandatory expulsion recommendation shall be submitted by the administration of Judson & Brown Elementary School.

Site administrators contribute to a positive school climate, promote positive pupil behavior, and help reduce inappropriate conduct. The principal/designee uses available district and other appropriate records to inform teachers of each pupil identified under E.C. 49079.

Law enforcement is contacted and consulted to help maintain and to promote a safe and orderly school environment. Judson & Brown Elementary School employees comply with all legal mandates, regulations, and reporting requirements for all instances of suspected child abuse.

If appropriate, additional internal security procedures affecting the integrity of the school facility include: Counseling for students, IST process, IEP process, 504's, Behavior support plans, Communication with parents/gaurdians, Documenting in Aeries.Net, Support from REV and Clement Middle School Security Team.

Community involvement is encouraged to help increase school safety.

Volunteers on campus, Sprigeo communication through District and school website, email, phone and school newsletter, YMCA on campus after school, neighborhood watch, after school organized and district approved sports clubs on campus until dusk, RAPTOR system, CFS hotline (1-800-827-8724)

Inventory System - Engraved ID, Security Storage

Most school-site equipment has a metal ID tag or a bar cod sticker adhered to its surface. These items are inventoried annually and there is an established accountability system. Office and classroom supplies are secured.

Element:

Goal 1: Provide A Safe School Environment

Opportunity for Improvement:

I. Shade over playgrounds and on the field area

Ia. Shade and seating at loading zone for parents and students - weather related

Objectives	Action Steps	Resources	Lead Person	Evaluation
I. Desired Change #1 Shade and Seating	a. Related Strategies and Activities 1. Research shade options through M&O. 2. Work with SSC and PTA to determine priority of spending and funding source.	b. Resources Required 1. M&O evaluation and possible labor. 2. e. Budget 1. \$5,000 2.	c. Personnel Assignments 1. Principal, PTA, SSC, Volunteers, Teachers and M&O personnel	f. Evaluation criteria 1. Before and After Pictures 2. Budget line of PTA, Change in route of custodian the first day of each month. d. Timeframe for completion 1. June 2025 2.

Component:

Positive School Environment/School Climate

The School's Social Environment

Leadership at Judson & Brown Elementary School is a shared process. A proactive role is assumed in all phases of the school operation. The current management team is committed to developing Judson & Brown Elementary School toward excellence in the areas of academic and social behavior.

The principal sets a positive tone for the school, guides the staff and works closely with them on curriculum and school safety issues. The school site's organizational structure is open and flexible contributing to sensitivity concerning school safety issues and promoting a safe, orderly school environment conducive to learning.

Disaster Procedures, Routine and Emergency

A contingency plan for emergencies is contained in a handbook available to each staff member. The District's Emergency Response Plan - (ERP Plan) is listed at the last section of this plan. The plan is reviewed at the beginning of each school year. This plan also contains available district and outside agency resources, emergency disaster procedures and information on Standardized Emergency Management System (SEMS).

PEACE Team

Positive Behavior Intervention Supports (PBIS)

Classroom Organization and Structure

Judson & Brown Elementary School teachers provide a varied learning environment in their classrooms. Teachers use a variety of teaching strategies including:

- Explicit Direct Instruction
- Guided Instruction
- Shared Groupings
- Cooperative Groupings
- Small Group Instruction
- Checking for Understanding
- GATE strategies
- Thinking Maps
- Data Protocols to guide instruction and strategies to be used
- Technology Use
- Instructional Technology
- Laptops 1:1 in grades 1-5
- Kindergarten and TK laptop use 2:1
- ProWise Technology
- Google Classroom in all grades
- ZSpace (augmented reality)
- Implementation of movement in lessons along with flexible seating

The teachers at Judson & Brown Elementary School are highly qualified, with many teachers holding advanced degrees. The staff is united in their desire to provide quality education for all pupils. Classrooms and teachers provide safe, orderly learning environment, enhance the experience of learning, and promote positive interactions amongst pupil and staff. Instructional time is maximized and disruptions are minimized.

The School's Cultural Environment

There is a high level of cohesiveness among the staff members at Judson & Brown Elementary School. Cooperation and support between teachers and the administration is evident. Efforts are made by the administration and staff to show concern for all pupils.

All pupils are expected to behave in a manner that promotes safety and order. Pupils are encouraged to bring problems to the principal, assistant principal, counselor, teacher or other staff members. The everyday goal is for the staff to be proactive rather than reactive in all situations of concern.

The academic and behavior efforts of pupils are recognized and rewarded.

Cultural diversity is celebrated throughout the year by Cultural Celebrations-holidays including, but not limited to, Thanksgiving, Christmas/Hanakkah, Cinco de Mayo, Kwanzaa etc.

- Black History Month
- Cultural Readings in Journeys ELA curriculum
- Social Studies Curriculum
- Community Involvement - Fix it Up Friday and Spruce it Up Saturday
- Title 1 Parent Night
- Family Together Nights
- ELAC Meetings
- DELAC Meetings/Parent education nights
- Multicultural Assemblies

Element:

Goal 2: Provide A Positive School Climate

Opportunity for Improvement:

- I. Students to know the meaning for each letter our positive behavior theme; PEACE.
- II. Monitor student behavior data.

Objectives	Action Steps	Resources	Lead Person	Evaluation
I. Continue implementation of SWIS data tracking system.	a. Related Strategies and Activities 1. Coordinate with RCSS to train administration and PEACE Team in entering behavioral data and analyzing data. 2. Train staff on how to enter prereferral interventions in Aeries to support behavioral data.	b. Resources Required 1. Provide time for staff training. 2. Consultation with RCSS staff.	c. Personnel Assignments 1. Principal, Assistant Principal, Counselor	f. Evaluation Criteria 1. Tiered Fidelity Walk-Through 2. Student behavioral data collected through SWIS.
II. Implement PEACE Store to positive reward students for appropriate behaviors on campus.	a. Related Strategies and Activities 1. Develop point system to reward students. 2. Purchase incentives 3. Provide time to reward students.	b. Resources Required 1. CHED budget to purchase student incentives 2. Collaborate with school counselor and Assistant Principal to provide reward time for students.	c. Personnel Assignments 1. Principal, Assistant, Principal, Counselor	f. Evaluation Criteria 1. Calendar of incentive reward time 2. PEACE Assemblies

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

Judson & Brown Elementary School Student Conduct Code

Procedures to Ensure a Safe and Orderly Environment

Rules and Procedures on School Discipline

Philosophy of Discipline

- Behavior expectations and the consequences for not meeting expectations must be clearly communicated to all students and their parents (in writing as well as verbally).
- The severity of consequences for violating behavior expectations increases with each incident of inappropriate behavior.
- The consequences for violating behavior expectations should be severe enough to discourage students from making poor behavior decisions.
- Expectations and consequences should permit students an opportunity to eliminate inappropriate behavior.

Additionally, the school staff recognizes that the middle school years are a transition time from adolescence to young adulthood. As a part of this transition, the student is given greater opportunities to be responsible and demonstrate independence and good judgment. The structure of our behavior expectations (in the classroom as well as school wide) is meant to encourage students to be responsible. The first step in many instances of inappropriate behavior (those considered to be "minor") is a simple warning ("Your behavior is unacceptable. Please stop such behavior"). It is only when a student ignores such warnings and continues to choose to act irresponsibly (like a child rather than an emerging adult) that we involve parents and implement consequences.

Elements of a Good Discipline Program

1. The program is focused upon making the entire campus, especially the classroom, a safe, supportive and orderly environment for learning for students and staff.
2. Classroom authority is retained by the classroom teacher. (Administration's role is to support, not to replace.)
3. Rules and procedures are clearly understood by staff and students.
4. All staff members will acknowledge and take appropriate action on any minor or major infraction of the school rules.
5. Rules and procedures comply with State Law and District policies.
6. The program recognizes the responsibilities and the rights of students and staff.
7. Program is structured to keep students in class and engaged in the educational process.
8. Rules are enforced:
 - A. by all staff members at all times.
 - B. strictly, but not rigidly (beware of "automatics").
 - C. in substantial part by adult modeling.
 - D. using techniques that promote the growth of positive self-esteem.
 - E. as close to the source as is possible.
 - F. by keeping parents informed.
9. The discipline program is understood, endorsed, and supported by staff, parents, and students.

PRINCIPAL'S STATEMENT TO EDMS STAFF

Expectations in Developing & Maintaining Discipline

As Principal of our school, I will expect;

Each teacher to have a defined system of classroom management. A written description of this system, including representative examples of the progressive interventions you intend to employ, will be approved and filed by me. Whenever possible and appropriate, teachers are encouraged to use standards and systems that are consistent with other village/departments members.

You can expect

Each administrator to assist and support you in every reasonable way in developing, implementing, and refining that system as needed.

I will expect

That when you refer a student for discipline:

1. The student has been made fully aware of classroom and school rules and knows what rules he/she has violated.
2. The teacher will follow-up any continuing behavior problems and schedule a team conference with the student and parents when appropriate.
3. That information will be provided on the referral regarding previous actions you have taken regarding this specific issue.
4. You have exhausted the interventions at your disposal (i.e., you have done everything you can do) and you have followed the guidelines established by the administration and staff on what constitutes an appropriate behavior referral.
5. The behavior was so serious or so blatant as to make immediate removal from the classroom necessary.
6. The written referral will be explicit in stating the offense(s).
7. You will send the student out of class with a referral only if his/her continued presence in the class would disrupt or prevent teaching and/or learning.
8. If necessary, the referral will be delivered to the office at a time convenient to the staff member so that the issue may be handled most efficiently, causing a minimum of lost class time.

You can expect

1. Each administrator to support your position in every reasonable way.
2. A response time on your referral of one, or at most, two days.

3. The availability of an administrator to discuss unresolved referrals after school on any given day.
4. That the administrator will exercise independent judgment regarding disposition of referrals.

I will expect

1. That each teacher will be timely in picking up students at their designated line from recess and lunch.
2. That each staff member will hold students accountable for their behavior on the school grounds at all times.

You can expect

1. Administrator support, investigation, and follow-through as indicated.
2. A response to referrals from incidents outside the classroom to be the same as to those within.

WHAT TO DO WHEN PROBLEMS APPEAR

Both behavioral and academic problems are present in some of our students. Teachers often ask for guidelines for dealing with these problems. Here they are:

1. Talk to the administrator assigned to your grade level.
2. Call parents at first sign of concern. Inform the parents of your observations, ask for their ideas, assistance, and support in serving the student. Keep a log of your calls.
3. If possible, talk privately to the student about your concerns.
4. Behavior concerns—look through students' CUM file. Any official suspensions will be in file, also look for teacher comments on report cards. Look for patterns of behavior. We use In-House Suspension whenever possible, as it is preferable to having students at home unattended—and it saves the district money. Serious infractions (fighting, threats, etc.) do result in official suspension. Unresponsive students can be moved to other schools or expelled.
5. Referrals—please remember if you write a student referral, you are required to call the parents. You are writing the referral and can answer the parents' questions firsthand. Administrators will also call parents, but we can only give secondhand information on the incident.
6. Academic Concerns—again, look through student CUM. This will contain test scores, report cards, and a student history. You may want to ask the grade level administrator to schedule a Student Study Team (SST). This will involve a meeting with the student, parents, administrators, students' teachers, and perhaps the psychologist

Conduct Code Procedures

Judson & Brown Elementary School uses positive Peace slips on a daily basis to encourage positive behavior on campus. As needed Minor Citations are given by teachers and staff with appropriate consequences. Major Office Referrals are given when an office referral is required that requires consequences administered by administration.

(K) Hate Crime Reporting Procedures and Policies

PENAL CODE - PEN

PART 1. OF CRIMES AND PUNISHMENTS [25 - 680.4] (Part 1 enacted 1872.)

TITLE 11.6. CIVIL RIGHTS [422.55 - 422.94] (Title 11.6 added by Stats. 1987, Ch. 1277, Sec. 4.)

CHAPTER 1. Definitions [422.55 - 422.57] (Chapter 1 added by Stats. 2004, Ch. 700, Sec. 6.)

422.55.

For purposes of this title, and for purposes of all other state law unless an explicit provision of law or the context clearly requires a different meaning, the following shall apply:

(a) "Hate crime" means a criminal act committed, in whole or in part, because of one or more of the following actual or perceived characteristics of the victim:

- (1) Disability.
 - (2) Gender.
 - (3) Nationality.
 - (4) Race or ethnicity.
 - (5) Religion.
 - (6) Sexual orientation.
 - (7) Association with a person or group with one or more of these actual or perceived characteristics.
- (b) "Hate crime" includes, but is not limited to, a violation of Section 422.6.

(Added by Stats. 2004, Ch. 700, Sec. 6. Effective January 1, 2005.)

EDUCATION CODE - EDC

TITLE 2. ELEMENTARY AND SECONDARY EDUCATION [33000 - 65001] (Title 2 enacted by Stats. 1976, Ch. 1010.)

DIVISION 4. INSTRUCTION AND SERVICES [46000 - 65001] (Division 4 enacted by Stats. 1976, Ch. 1010.)

PART 27. PUPILS [48000 - 49703] (Part 27 enacted by Stats. 1976, Ch. 1010.)

CHAPTER 6. Pupil Rights and Responsibilities [48900 - 49055] (Chapter 6 enacted by Stats. 1976, Ch. 1010.)

ARTICLE 1. Suspension or Expulsion [48900 - 48927] (Article 1 repealed and added by Stats. 1983, Ch. 498, Sec. 91.)
48900.3.

In addition to the reasons set forth in Sections 48900 and 48900.2, a pupil in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has caused, attempted to cause, threatened to cause, or participated in an act of, hate violence, as defined in subdivision (e) of Section 233.

(Amended by Stats. 1999, Ch. 646, Sec. 25. Effective January 1, 2000.)

(J) Procedures to Prepare for Active Shooters

3 LEVELS OF STUDENT SAFETY IN A CRISIS

Safe & Secure Mode is a security procedure used to reduce student and staff movement outside school buildings. This may be due to medical emergency, area disturbance, etc. It is designed to allow for school to carry forward but have the ability to move to Lockdown quickly if needed. During the Safe & Secure mode, there is heightened vigilance on campus by all school staff. Generally, recesses and outdoor activities are reduced. Parents/guardians can have access to their student(s) and may check them out of school if they see fit to do so.

Teachers should continue teaching as normal

Allow students restroom use with clear administrator/ teacher direction

Increased available staff presence during passing periods and student dismissal

Lunch/activities in more secure area, unless site admin decides otherwise

Standard inclement weather schedule/routine in place, unless site administrator/designee decides otherwise

Perimeter gates, where applicable, will be locked and monitored by available staff, allowing for central access points

PE classes will be moved off all fields into more secure locations (e.g., gym, class, & MPR)

Lock Down is called when a law enforcement event is happening in the vicinity of a school. The law enforcement agency generally, but not always, contacts the school/district to encourage the school site to Lock Down as a precautionary measure. All

Administrators are expected to place their school in Lock Down in this scenario.

Take a look outside your classroom and gather up any stray students in the hallways

Ensure that your door is locked

If windows are open, close them

Project a calm demeanor to help students remain calm. Reassure students that they are safe

Do not allow anyone to leave the classroom

Frequently check your emails for possible updates from your site administrators

If students are out on the playground or athletic fields, quickly move them to a secure classroom, locker room, or multi-purpose room

Critical Alert is called when a significant, threatening event is happening on campus or adjacent to campus that creates a potential danger to students and staff. While this may be communicated to the school by law enforcement, it may also be determined by school officials on the scene. Critical Alert assumes that everyone is prepared for a potential significant threat/event on campus.

Implement all items from Lock Down list above

Turn off or reduce lighting, so it will appear that the room is vacant

Keep all students sitting on the floor, away from the door or windows

Do not look out the windows

Cover window on the door (if one exists)

Advise the students that there is a serious situation, but you don't know what it is. Project a calm demeanor to help students remain calm. Reassure students that they are safe

Ensure that everyone in the room turns the ringer off on their cell phones

Do not allow students to talk on their cell phones (keep room as quiet as possible)

Do not call the office. They are in the midst of a problem and will not be able to answer all the calls which may tie up the phone system

Quietly take roll and make a list of missing students and any extra students that are in your room. Email this list to your administrators and school site secretaries

Do not evacuate students until you are told to, even if the fire bells go off. If, in fact, there is a need for a fire evacuation, you will be notified via the PA system, email, or phone call

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Do not open the door, even if someone knocks and claims to be a staff member (Administrator/custodian will have a master key)

If students are out on the PE field, do not return them to the locker room. Move them to a safe place (the farthest part of the campus)

Procedures for Preventing Acts of Bullying and Cyber-bullying

RUSD Board Regulation 5144.1(17)

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))

Safety Plan Review, Evaluation and Amendment Procedures

A Safety Committee is created each school year. The purpose of the committee is to review the Safety Plan and procedures on a continual basis. The committee meets a minimum of three times per year and is made up of school staff and parent/community members. The Safety Committee recommendations are brought to the attention of the staff and presented to School Site Council for approval.

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)
Review and Approval by SSC	10/2/24 3:00PM	Agenda, Minutes and Signature Page for SSC located in Attachments

Emergency Response Guidelines

Step One: Identify the Type of Emergency

Determining the type of emergency will assist the commander/administrator in making the appropriate decisions to keep the campus safe. The response to a fire is drastically different than responding to an active shooter. The type of emergency may lead to evacuation, shelter-in-place, or lockdown as well as which agency to contact.

Step Two: Identify the Level of Emergency

Determining the size and immediacy of the emergency will determine the level. The site leader will determine if it is a classroom only, building only, area only (i.e. playground), whole school, neighborhood, or city-wide emergency.

Step Three: Determine the Immediate Response Action

With safety of students, staff and visitors at the forefront, site administrators/commander will determine immediate response based on site protocols. Please reference sections about specific emergencies.

Step Four: Communicate the Appropriate Response Action

Administrators/Commander will communicate to the necessary emergency responders via phone. Administrators/Commander will utilize a variety of communication tools to notify staff and emergency participants such as: Bell system, phone intercom system, emails. In addition, the Administrator/Commander will communicate with the District Office via emergency radio. Lastly, a community communication plan will be created to notify families of incident, pick-up procedures, or next steps through one or several methods: Parent Square, postings on website and all social media accounts.

Types of Emergencies & Specific Procedures

Earthquake

Earthquake A. INSIDE SCHOOL BUILDING: 1. The teacher, or staff member in authority, will implement action, DUCK COVER AND HOLD. Stay inside building until the shaking stops. 2. Try to avoid glass and falling objects, areas where there are large panels of glass and/or heavy suspended light fixtures. 3. Do not use telephones. 4. Implement action, "LEAVE BUILDING", when instructed to do so, after the earthquake is over and tremors have subsided. Special consideration should be given to exit routes as some exits have heavy roof structures over the doorways. Go to an open area away from trees, power poles, etc. 5. Avoid touching electrical wires and metal objects such as chain link fences. 6. Render first aid if necessary. 7. Take roll and report missing students to principal. 8. The principal/designee is to establish a command post, assess damage, activate search team and activate the incident command system. 9. Activate a buddy system; determine needs of neighboring schools. 10. Principal to request assistance through school district radio. 11. Notify the District Emergency Operations Center of any breaks in utility lines. 12. The superintendent/designee will determine the advisability of closing the school, based on the report of the principal. B. IF OUTSIDE: 1. Move away from buildings, playground equipment, utility poles, signs, trees, metal fences, exposed wires and wet areas. 2. The safest place is in the open. Stay there until the earthquake is over. 3. Follow procedures 5 through 12 under "Inside School Building." C. WALKING TO AND FROM SCHOOL: 1. The safest place is in the open. Stay there. 2. Move away from buildings, utility poles, signs, trees, metal fences and exposed wires. 3. DO NOT RUN! Do "DROP -TAKE COVER." 4. After an earthquake, if on your way TO school, continue to school. 5. After an earthquake, if on your way FROM school, continue home. D. ON SCHOOL BUS: 1. If possible, the bus driver will pull to the side of the road away from any buildings, poles, and large trees issue command "DROP — TAKE COVER." 2. Turn off ignition and set brakes. 3. Wait until the earthquake is over. 4. If possible, contact dispatch office by district radio for instructions. E. HANDICAPPED STUDENTS: 1. Students with handicap conditions may need special assistance and instruction regarding falling debris. Additional drills may be needed to make certain the procedures are mastered. 2. Each handicapped student's needs should be assessed in relation to the possibility of a disaster and his/her preparedness.

Fire in Surrounding Area

Fire in Surrounding Area INITIAL RESPONSE: 1. If necessary, sound the school alarm and evacuate building. 2. Notify the fire department by dialing 911. 3. Assemble at the pre-designated areas at safe distance from the fire/fire-fighting equipment. 4. Assist disabled persons during the evacuation. 5. Render first aid as necessary. 6. Check all bathrooms and training rooms for staff and students. 7. If it is possible for adults to fight small fires (no bigger than a desk) without endangering life and/or causing injury, do so. 8. Close, but do not lock all doors leading to the fire area to isolate the area and prevent the spread of the fire. 9. Keep access roads open for emergency vehicles. 10. Teachers should take roll and report missing students to the office. No one should leave the area until instructed to do so. 11. Notify the Superintendent. 12. The principal will recommend to the Superintendent whether further action such as the EVACUATION OF SCHOOL should be implemented. 13. Notify utility companies of a break or suspected break in their lines. 14. After a serious fire, fire department officials and maintenance personnel should determine whether the building is safe before student and staff return.

Fire on School Grounds

Fire on School Grounds INITIAL RESPONSE: 1. Sound the school alarm and evacuate building. 2. Notify the fire department by dialing 911. 3. Assemble at the pre-designated areas at safe distance from the fire/fire-fighting equipment. 4. Assist disabled during the evacuation. 5. Render first aid as necessary. 6. Check all bathrooms and training rooms for staff and students. 7. If it is possible for adults to fight small fires (no bigger than a desk) without endangering life and/or causing injury, do so. 8. Close, but do not lock all doors leading to the fire area to isolate the area and prevent the spread of the fire. 9. Keep access roads open for emergency vehicles. 10. Teachers should take roll and report missing students to the office. No one should leave the area until instructed to do so. 11. Notify the Superintendent. 12. The principal will recommend to the superintendent whether further action such as the EVACUATION OF SCHOOL should be implemented. 13. Notify utility companies of a break or suspected break in their lines. 14. After a serious fire, fire department officials and maintenance personnel should determine whether the building is safe before student and staff return.

Pandemic

Blood Borne Pathogen Incident Reporting Form and Exposure Control Plan

Policy 5141.22: Infectious Diseases

The Governing Board desires to protect students from risks posed by exposure to infectious diseases while providing an appropriate education for all students.

The Superintendent or designee shall determine whether to admit a student with an infectious disease, and shall exclude students only in accordance with law. In making this determination, he/she shall consult the student's parents/guardians, the student's physician and/or the county health department, in accordance with law and consistent with confidentiality provisions. Because bloodborne pathogens such as hepatitis B virus, hepatitis C virus and human immunodeficiency virus (HIV) are not casually transmitted, the sole presence of bloodborne pathogens is not sufficient reason to exclude students from attending school.

cf. 5112.2 - Exclusions from Attendance)
(cf. 5141.26 - Tuberculosis Testing)
(cf. 5141.3 - Health Examinations)
(cf. 6158 - Independent Study)
(cf. 6159 -Individualized Education Program)
(cf. 6183 - Home/Hospital Instruction)

Parents/guardians are encouraged to inform the Superintendent or designee if their child has an infectious disease so that school staff may work cooperatively with the student's parents/guardians to minimize the child's exposure to other diseases in the school setting. The Superintendent or designee shall ensure that student confidentiality rights are strictly observed in accordance with law. No district employee shall release medical information, including knowledge of a bloodborne pathogen infection, without written consent from the parent/guardian or adult student. Such information shall be shared only with those persons specifically named in the written permission.

(cf. 5125 - Student Records)
(cf. 5022 -Student and Family Privacy Rights)

The Board requires students and staff to routinely observe universal precautions to prevent exposure to bloodborne pathogens and to prevent the spread of all infectious disease.

cf. 4119.42/4219.42/4319.42 -Exposure Control Plan for Bloodborne Pathogens)
(cf. 4119.43/4219.43/4319.43 - Universal Precautions)
(cf. 5141.23 - Infectious Disease Prevention)

The Superintendent or designee shall ensure that the district's health education program provides information about the nature of bloodborne pathogens and their transmission.

(cf. 5141.6 - Student Health and Social Services)
(cf. 6142.2 - Sexual Health and HIV/AIDS Prevention Instruction)
(cf. 6142.8 - Comprehensive Health Education)

Blood Borne Pathogens - Safety Practices

Procedures and Regulations

1. General

1.1 While recognizing that both students and employees diagnosed with an infectious blood borne disease are entitled to a confidential relationship between themselves, the medical community and/or other agencies, the Board of School Trustees encourages these individuals to meet with the School Principal and/or Superintendent of Schools to discuss their disease and immediate and future needs.

1.2 Assessment

2. Students:

2.1. The Superintendent (or designate) will be informed, by the school principal as soon as is known, of any student infected with an infectious blood borne disease.

2.2. A Risk Assessment will be conducted using a team approach including the personal physician, public health personnel, the parent or guardian, and school district personnel as appropriate and will make recommendations about the type of educational and care setting based on the following:

- a. Behavior, neurological development and physical condition of the child;
- b. Type of interaction expected with others.
- c. What the potential is for exposure
- d. Areas for potential for exposure
- e. How exposure may happen
- f. Who needs to know?
- g. What will happen if there is a risk of exposure?

2.3. The team will consider the risk to others in the workplace, whether or not the individual is healthy enough to continue to attend school, and what precautions should be taken to ensure the safety and health of others.

a. The identity of infected students will remain confidential and restricted to those who need to know or are required to be informed.

2.4. Decisions on attendance at school are dependent on the circumstances of each individual case. Regular evaluation of the appropriateness of attendance will be conducted.

2.5. The Board will be notified immediately when the team considers the health condition of a student to be a danger to the immediate health and welfare of a school, its students or employees of the Board.

a. Upon being notified of the team's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

3. Employees

3.1. The Superintendent will be informed, by district staff as soon as is known, of any employee infected with an infectious blood borne disease.

3.2. Employees with an infectious blood borne disease, who are able to carry out the essential duties of their jobs in a satisfactory manner without posing a health or safety risk to themselves or others, will be entitled to continue their work.

3.3. Decisions regarding potential health or safety hazards will be made on a case-by-case basis in consultation with the employee, the personal physician and district personnel as appropriate.

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4. Hygienic Safety Practices

4.1. All employees will follow "Universal Infection Control Precautions" by assuming that blood and other body fluids from all individuals are potentially infectious. These precautions include:

- a. Routinely using gloves when anticipating contact with blood
- b. Immediately washing hands and other skin surfaces after removal of gloves and/or contact with blood

4.2. Schools will be provided with appropriate protective equipment including disposable waterproof gloves (natural rubber latex, neoprene, nitrile, or vinyl), tongs or pliers and proper sharps containers.

4.3. Schools' medical room mattresses will be either vinyl-coated beds or cloth mattress with a protective vinyl (plastic) covering so that they can be cleaned as needed with a bleach solution.

4.4. Blankets can be cleaned as needed by forwarding them, in a clearly labeled plastic bag, to the Assistant Supervisor Operations at the Facilities Office.

5. Universal Precautions

5.1. Universal Precautions to prevent transmission of blood-borne disease will be followed. Universal Precautions is the term for infection control measures endorsed by the Canadian Centre for Occupational Health and Safety for workers who might come into contact with blood and other body fluids. In summary they include:

- a. Wash hands for 30 seconds after contact with blood and other body fluids contaminated with blood.
- b. Wear disposable latex gloves when you encounter blood, body fluids, or when cleaning cuts, scrapes or wounds. Wash your hands as soon as you remove your gloves. Dispose gloves in a plastic bag.
- c. Use disposable absorbent material like paper towels to stop bleeding.
- d. Discard bloodstained material in a sealed plastic bag and deposit in the garbage. Label as containing blood-tainted material.
- e. Cover cuts or scrapes with a bandage until healed.
- f. Immediately protect staff and students from coming in contact with blood-soiled surfaces. The area must be disinfected with a fresh solution of one part bleach and nine-parts water (10% bleach solution).

Mops or brushes used for cleaning should be soaked in a bleach solution for 20 minutes.

(Note: The custodial department will provide each school with the product for dissolving in water to provide the bleach solution.)

6. Identification of Risks of Occupational Exposure

6.1. In accordance with the Occupational Health and Safety Regulations (section 6.35), the district's Health & Safety Coordinator will develop and maintain a list of positions and/or tasks and procedures where there is a potential for occupational exposure to a blood borne pathogen.

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- c. What the potential is for exposure
- d. Areas for potential for exposure
- e. How exposure may happen
- f. Who needs to know?
- g. What will happen if there is a risk of exposure?

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2.4. Decisions on attendance at school are dependent on the circumstances of each individual case. Regular evaluation of the appropriateness of attendance will be conducted.

2.5. The Board will be notified immediately when the team considers the health condition of a student to be a danger to the immediate health and welfare of a school, its students or employees of the Board.

- a. Upon being notified of the team's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

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- 4.2. Schools will be provided with appropriate protective equipment including disposable waterproof gloves (natural rubber latex, neoprene, nitrile, or vinyl), tongs or pliers and proper sharps containers.
- 4.3. Schools' medical room mattresses will be either vinyl-coated beds or cloth mattress with a protective vinyl (plastic) covering so that they can be cleaned as needed with a bleach solution.
- 4.4. Blankets can be cleaned as needed by forwarding them, in a clearly labeled plastic bag, to the Assistant Supervisor Operations at the Facilities Office.

5. Universal Precautions

- 5.1. Universal Precautions to prevent transmission of blood-borne disease will be followed. *Universal Precautions* is the term for infection control measures endorsed by the Canadian Centre for Occupational Health and Safety for workers who might come into contact with blood and other body fluids. In summary they include:
- a. Wash hands for 30 seconds after contact with blood and other body fluids contaminated with blood.
 - b. Wear disposable latex gloves when you encounter blood, body fluids, or when cleaning cuts, scrapes or wounds. Wash your hands as soon as you remove your gloves. Dispose gloves in a plastic bag.
 - c. Use disposable absorbent material like paper towels to stop bleeding.
 - d. Discard bloodstained material in a sealed plastic bag and deposit in the garbage. Label as containing blood-tainted material.
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Comprehensive School Safety Plan

**2024-2025
School Year**

School: Kimberly Elementary School
CDS Code: 36-67843-6036511
District: Redlands Unified School District
Address: 301 West South Avenue
Redlands, CA 92373
Date of Adoption: October 24, 2023
Date of Update: September 24, 2024
Date of Review:
- with Staff
- with Law Enforcement
- with Fire Authority

Approved by:

Name	Title	Signature	Date
Jennie Dyerly	Principal		
Laura Hendrickson	Classified		
Marcy Boatman	Certificated		
Michael Heal	Certificated		
Heather Turner	Certificated		

Name	Title	Signature	Date
Carolyn Cullen	Parent		
Chris Olsen	Parent		
Josh Wauchope	Parent		
Breanne Whalen	Parent		
Parissa Clark	Parent		

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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 Kimberly Elementary School.

Safety Plan Vision

Kimberly Elementary School will provide a safe, orderly, and secure environment conducive to learning. Kimberly Elementary School will create a school in which students will attend regularly and be safe from both physical and social-psychological harm. Kimberly Elementary School will work collaboratively with the district office and school board to identify, establish, and use strategies and programs to comply with school safety laws. Kimberly Elementary School will develop a plan to work cooperatively and collaboratively with parents, students, teachers, administrators, counselors, and community agencies, including law enforcement, to provide a safe and orderly school and neighborhood. Kimberly Elementary School will develop an academic program that will focus on high expectations of pupil performance and behavior through PBIS in all aspects of the school experience. Kimberly Elementary School will work collaboratively with other elementary, middle schools, and high schools to assist in a smooth transition from one school level to another. Kimberly Elementary School will solicit the participation, views, and input of teachers, parents, school administrators, and community members and use this information to promote the safety of our students, staff and community.

Components of the Comprehensive School Safety Plan (EC 32281)

Kimberly Elementary School Safety Committee

Is compiled of the principal, assistant principal, 6 parents and 1 certificated employee. The Committee meets three time a year to review the schools safety plan and ensure that the plan is up to date and being followed.

Assessment of School Safety

During the 2023-2024 school year Kimberly became a Platinum Level PBIS school. There were no suspensions during the 2023-24 school year. School climate data from the 2023-24 school year indicate that Kimberly has a favorable rating of 76% by students. The Kimberly community including administration, staff, and parents continue to work together to build a safe school environment.

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

Introduction - School Profile

Kimberly Elementary School is one of twenty-four schools in the Redlands Unified School District with traditions dating back to 1957. Kimberly Elementary School has a diverse pupil student body and is served by a dedicated staff. Staff and parents work together to create a positive school school community.

Kimberly Elementary School works together as a school community through the implementation of PBIS to create a safe school. Procedures, strategies, and programs that support Kimberly's Comprehensive School Safety Plan are put in place and practiced throughout the year. These measures are reviewed by the Safety Committee as well as the School Site Council for continued improvement in providing a safe, orderly, school environment conducive to learning.

School Crime Status and Reporting

Kimberly didn't have any suspensions during the 2023-2024 school year. School climate data from the 2023-2024 school year indicate that Kimberly has a favorable rating of 76% by students. Kimberly students, staff, and community are supported and trained on PBIS strategies and expectation to support a positive school climate environment.

Personal Characteristics of Students & Staff

(Additional Health and Welfare Data available from ICOE aggregated DAT surveys)

Kimberly Elementary School has an enrollment of 462 students in TK through 5th grade. Kimberly is comprised of a diverse student population. Approximately 38% of the pupils are in families receiving Aid to Families with Dependent Children that are eligible for free/reduce lunches. The ethnic makeup of the pupil population is 39 % Hispanic, 5 % Black, 37 % Caucasian and 8% Asian as well as 11% reporting multiple ethnicities. Our pupils have a variety of life experiences. Some pupils have recently arrived from foreign countries while others have never left their neighborhood.

Curriculum and Educational Activities

Kimberly uses best first instruction through core curriculum in English Language Arts, Math, Science, Social Students that is approved and supported by the state of California, physical education, art, and music.

Kimberly students have the opportunity to participate in noon and after-school activities. These activities include but are not limited to Running Club, Chorus, Instrumental Music Program, Friendly Helpers, Chess Club, Garden club, Digital Art, and more.

Staff provides opportunities and additional activities open to students in the areas of academic enrichment, PTA-sponsored family events such as Math Night, Reading Month, One School, One Book, and STEM Night.

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

Policy 5141.4: Child Abuse Prevention and Reporting

The Governing Board recognizes that the district has a responsibility to facilitate the prompt reporting of incidents of child abuse and neglect. The Superintendent or designee shall ensure that parents/guardians have access to procedures whereby they can report suspected child abuse at a school site to appropriate child protective agencies

The Superintendent or designee shall develop and implement regulations for use by employees in identifying and reporting child abuse

District employees shall report known or suspected incidents of child abuse in accordance with district regulations and state law. Employees shall cooperate with the child protective agencies responsible for reporting, investigating and prosecuting cases of child abuse.

(cf. 4112.9 - Signed Statements/Child Abuse Reporting Statements)

The Superintendent or designee shall provide training in child abuse identification and reporting for all certificated and classified personnel. (Penal Code 11165.7)

All employees trained in child abuse identification and reporting shall be given, as a part of that training, written notice of the child abuse reporting requirements and the employees' confidentiality rights. (Penal Code 11165.7)

In order to reduce or eliminate unfounded child abuse accusations directed at school employees, child abuse in service training shall include guidance in disciplining students and maintaining ethical relationships with them.

(cf. 3514 - Safety)

(cf. 5142 - Safety)

Duty to Report

Certificated employees and classified employees trained in child abuse identification and reporting shall report known or suspected child abuse to a child protective agency by telephone immediately or as soon as practically possible and in writing within 36 hours. The reporting duties are individual and cannot be delegated to another individual except under circumstances set forth in Penal Code 11166.

Definitions

Child Abuse includes the following:

1. A physical injury inflicted by other than accidental means on a child by another person.
2. Willful cruelty or unjustifiable punishment of a child, or willfully inflicting unjustifiable physical pain or mental suffering, or failure to safeguard a child from these injuries when the child is under a person's care or custody
3. Sexual abuse of a child
4. Neglect of a child or abuse in out-of-home care
5. Unlawful corporal punishment or injury resulting in a traumatic condition

Mandated Reporters are those people defined by law as child care custodians, health practitioners, child visitation monitors and employees of a child protective agency. Mandated reporters include virtually all school employees. The following school personnel are required to report:

Teachers, administrators, supervisors of child welfare and attendance, certificated student personnel employees, employees of care institutions, Headstart teachers, school psychologists, licensed nurses, counselors, presenters of child abuse prevention programs and those instructional aides or other classified employees trained in child abuse reporting.

Child Protective Agencies are those law enforcement and child protective services responsible for investigating child abuse reports, including the local police or sheriff department, county welfare or juvenile probation department and child protective services.

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

Reporting Procedures

To report known or suspects child abuse, any employee (as defined above) shall report by telephone to the local child protective agency immediately. (Child Protective Services 921 County Center, 3 Court, Modesto, CA phone # 525- 6641)

The following information shall be given:

1. The name of the person making the report
2. The name of the child
3. The present location of the child
4. The nature and extent of any injury

Any other information requested by the child protective agency, including the information that led the mandated reporter to suspect child abuse.

When the verbal 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.

Within 36 hours of making the telephone report, the mandated reporter shall complete and mail to the local child protective agency a written report which includes a completed Department of Justice form (DOJ SS 8572).

Mandated reports may obtain copies of the above form either from the district or local child protective agency.

Instructions are included on the form, and reporters may ask the site administrator for help in completing and mailing it; however, the mandated reporter is personally responsible for ensuring that the written report is correctly filed.

Employees reporting child abuse to a child protective agency are encouraged, but not required, to notify the site administrator or designee as soon as possible after the initial verbal report by telephone. When so notified, the site administrator shall inform the Superintendent or designee.

Administrators so notified shall provide the mandated reporter any assistance necessary to ensure that reporting procedures are carried out in accordance with law and district regulations. At the mandated reporter's request, the principal may assist in completing and filing the form.

If the mandated reporter does not disclose his/her identity to a district administrator, he/she shall at least provide or mail a copy of the written report to the site administrator and the district without his/her signature or name.

Legal Responsibility and Liability

Mandated reporters have absolute immunity. School employees required to report are not civilly or criminally liable for filing a required or authorized report of known or suspected child abuse.

A mandated reporter who fails to report an instance of child abuse, which he/she knows to exist or reasonably should know to exist, is guilty of a misdemeanor and is punishable by confinement in jail for a term not to exceed six months or by a fine of not more than \$1,000 or both. The mandated reporter may also be held civilly liable for damages for any injury to the child after a failure to report

When two or more persons who are required to report have joint knowledge of suspected instance of child abuse, and when they so agree, the telephone report may be made by either of them and a single report made and signed by that person.

However, if any person who knows or should know that the person designated failed to make the report, that person then has a duty to make the report.

The duty to report child abuse is an individual duty and no supervisor or administrator may impede or inhibit such reporting duties. Furthermore, no person making such a report shall be subject to any sanction.

Victim Interview

Upon request, a child protective agency representative may upon request interview a suspected victim of child abuse during school hours, on school premises, concerning a report of suspected child abuse that occurred within the child's home. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. (Penal Code 11174.3)

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

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

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

Peace officer and child protective services agents will be asked to sign an appropriate release or acceptance of responsibility form.

(cf. 5145.11 - Questioning and Apprehension)

When School Employees are Accused of Child Abuse

Regardless of who child abusers may be, the major responsibilities of mandated reports are to 1) identify incidents of suspected child abuse, and 2) comply with laws requiring the reporting of suspected abuse to proper authorities. Determining whether or not the suspected abuse actually occurred is not the responsibility of the school employee. Such determination and follow-up investigation will be made by a child protective agency.

Pending outcome of an investigation by a child protective agency and before formal charges are filed, the employee may be subject to reassignment or a paid leave of absence.

Upon filing formal charges or upon conviction, the district may take disciplinary action in accordance with law, district policies, regulations and/or collective bargaining agreements. The Superintendent or designee shall seek legal counsel in connection with either the suspension or dismissal of the employee.

(cf. 4117.4 - Dismissal)
(cf. 4118 - Suspension/Disciplinary Action (Certificated))
(cf. 4218 - Suspension/Disciplinary Action (Classified))

Suspected Child Abuse Reporting Procedures

I. Initiating the Report

A. The report is initiated by a telephone report to the appropriate agency.

B. If the suspected child abuse has taken place within the family, call the Enter appropriate Agency Hotline at phone number, 1 (800) 827-8724

C. If the suspected child abuse has taken place outside the family, call the local police department at:

Highland Sheriff Police Department
Phone: (909) 425-9793

D. Content of call.

- 1) Name, address and age of child involved.
- 2) Clear description of suspected abuse.

II. Written Report

A. The telephone call is to be followed by completion of the Suspected Child Abuse Report (form 11166.P.C.). These forms are available in the Principal's office at the high school or you may access the form on line at:
http://ag.ca.gov/childabuse/pdf/ss_8572.pdf for a form or immediately call (909) 384-9233 to file a report.

B. The written report is to be addressed to the person to whom the telephone report was made.

C. The written report must follow the phone call within 36 hours.

1. Suspected child abuse within the family,
Agency: Children and Family Services
Address: 150 S. Lena Road, San Bernardino, California 92415

2. Suspected child abuse outside the family should be mailed to the agency to which the report was called -

Adopted: 10/2005
Highland Sheriff Police Department
Phone: (909)425-9793

The reporting party should keep the yellow copy of the Suspected Child Abuse Report form (SS8572) or verification of completion of the reporting obligation.

Caution:

1. The reporting responsibility has not been discharged until both the telephone call and written reports are complete.
2. School personnel are not to engage in any investigation of suspected cases. The investigation will be done by the child protective services office.
3. The reporting responsibility is an individual one which is NOT discharged by report to supervisors or administrators.

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

Disaster Plan (See Appendix C-F)

Each classroom, office, library and room on campus has a posting of the emergency procedures and a red safety bag near the exit door. Emergency procedures are also posted in each classroom notebook which is reviewed at the beginning and middle of the school year for updates. Fire Drills are practiced each month of the school year. Earthquake drills are practiced four times a year and Lockdown drills are practiced multiple times yearly. Kimberly uses Raptor to signal a drill or an emergency that is happening on campus. All staff have access to Raptor on their phones and/or computers.

Public Agency Use of School Buildings for Emergency Shelters

At this time Kimberly is not used as an emergency shelter by an outside agencies.

(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines

Policy 5144.1: Suspension And Expulsion/Due Process

Suspension and Expulsion

The Governing Board recognizes that maintaining an environment which promotes learning and protects the health, safety, and welfare of all students may require the suspension or expulsion of a student from regular classroom instruction. District policies and school site rules shall clearly identify district behavior standards

(cf. 5144 - Discipline)

Except in cases where suspension for a first time offense is warranted in accordance with law, suspension shall be imposed only when other means of correction fail to bring about proper conduct. (Education Code 48900.5)

Expulsion is an action taken by the Board for severe or prolonged breaches of discipline by a student. Except for single acts of a grave nature, expulsion is usually used only when there is a history of misconduct, when other forms of discipline, including suspension, have failed to bring about proper conduct, or when the student's presence causes a continuing danger to other students. (Education Code 48915)

The grounds for suspension and expulsion and the procedures for considering, recommending and/or implementing suspension and expulsion shall be specified in Administrative Regulation.

Each principal shall annually inform all students and parents/guardians of the school's discipline rules and procedures and of the availability of all district policies and regulations dealing with student discipline, suspension and expulsion. (Education Code 35291, 35291.5)

(cf. 5145.6 - Parental Notifications)

Suspended or expelled students shall be excluded from all school-related extracurricular activities during the suspension or expulsion.

cf. 6145 - Extracurricular and Cocurricular Activities)

Zero Tolerance

The Board supports a zero tolerance approach to serious offenses in accordance with state and federal law. This approach makes the removal of potentially dangerous students from the classroom a top priority and ensures the standardized treatment of all students. Staff shall immediately report to the Superintendent/ designee any incidence of offenses specified in law, Board policy, and administrative regulation as cause for suspension or expulsion.

Student Due Process

The Board shall provide for the fair treatment of students facing suspension and expulsion by affording them their due process rights under the law. The administration and staff shall comply with procedures for notices and appeals as specified in regulation. Procedures governing student due process shall conform in all aspects to provisions in law. (Education Codes 48911, 48915 and 48915.5)

Whenever a student is suspended, school officials may (but are not required to) meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

cf. 5119 - Students Expelled from Other Districts

(cf. 5144.2 - Suspension and Expulsion/Due Process - Individuals with Exceptional Needs)

Rights of Complaining Witness

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

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

1. Receive five days' notice of his/her scheduled testimony at the hearing
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies
3. Have a closed hearing during the time he/she testifies

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

On-Campus Suspension Program

The Board recognizes that students who are suspended from school frequently have no supervision or guidance during the school hours when they are off campus. The Board believes that in many cases, instead of sending the student off campus, it would be better to address the student's misconduct by keeping the student at school and providing him/her with supervision that is separated from the regular classroom.

The Superintendent or designee shall examine alternatives to off-campus suspension and may establish a suspension program which involves progressive discipline during the school day on campus; using conferences between staff, parents/guardians and students; detention; student study teams or other assessment-related teams; and/or referral to school support services staff.

Required Parental Attendance

The Board believes that parental involvement plays an important role in the resolution of classroom behavior problems. The Board expects that teachers will communicate with parents/guardians when behavior problems arise

Whenever a student is suspended from a class because he/she committed an obscene act, engaged in habitual profanity or vulgarity, disrupted school activities or otherwise willfully defied valid staff authority, the teacher of the class from which the student was suspended may require the student's parent/guardian to attend a portion of a school day in that class. After completing the classroom visit and before leaving school premises, the parent/guardian also shall meet with the principal or designee. (Education Code 48900.1)

The Board encourages teachers, before requiring parental attendance, to make reasonable efforts to have the parent/guardian visit the class voluntarily. The teacher also may consider informing the parent/guardian about available resources which may provide help in the development of parenting skills. Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the student and the parent/guardian and to improve classroom behavior.

Parental attendance may be required on the day the student returns to class or within one week thereafter. The principal or designee shall contact any parents/guardians who do not respond to the request to attend school. The Board recognizes that parental compliance with this policy may be delayed, modified or prevented by serious illness/injury/disability, absence from town, or inability to get certain release time from work.

The teacher shall apply this policy uniformly to all students within the classroom. This policy shall apply only to a parent/guardian who actually lives with the student. (Education Code 48900.1)

District regulations and school-site rules for student discipline shall include procedures for implementing parental attendance requirements.

Parents/guardians shall be notified of this policy before it is implemented and at the beginning of each subsequent school year. (Education Code 48900.1, 35291, 48980)

Decision Not to Enforce Expulsion Order

In cases where expulsion is mandatory pursuant to Education Code 48915(c), the enforcement of an expulsion order shall not be suspended by the Board. In all other cases of expulsion, the order for expulsion may be suspended by the Board, on a case-by-case basis, pursuant to the requirements of law.

Definitions

Suspension from school means removal of a student from on going 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, nor referral to a certificated employee designated by the principal to advise students, nor removal from the class without reassignment to another class or program for the remainder of the period, without sending the student to the principal or designee.

2. Removal from a particular class shall not occur more than once every five school days. (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)

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

School property, for the purposes described in Education Code 48900, includes, but is not limited to, electronic files and databases. (Education Code 48900(s))

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, suspension and expulsion. Transfer students and their parents/guardians shall be notified at the time of enrollment. (Education Code 35291.5, 48900.1, 48980)

(cf. 5144 -Discipline)

(cf. 5145.6 Parental Notifications)

Notification shall include information about the ongoing availability of individual school rules and all district policies and regulations pertaining to student discipline. (Education Code 35291)

(cf. 5145.6 -Parental Notifications)

Grounds for Suspension and Expulsion

Students may be suspended or recommended for expulsion when the Superintendent, principal, or principal's designee at the school in which the student is enrolled determines that the student has done any of the acts listed below:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense. (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However, a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code Board Policy Manual Redlands Unified School District 48900(s))

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

(cf. 5 131 - Conduct)

(cf. 5131. 7 - Weapons and Dangerous Instruments)

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

(cf. 5131.6 -Alcohol and Other Drugs)

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

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

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

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

8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products with prior approval of the principal or designee. (Education Code 48900(h))

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

10. Unlawfully possessed, or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code. (Education Code 489000))
11. Disrupted school activities or otherwise willfully defied 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))
12. Knowingly received stolen school property or private property. (Education Code 48900(1))
13. Possessed an imitation firearm, i.e., 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))
14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code 243.4. (Education Code 48900(n))
15. 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))
16. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug soma. (Education Code 48900(p))
17. Engaged in, or attempted to engage in, hazing as defined in Education Code 32050. (Education Code 48900(q))
18. Made terrorist threats against school officials and/or school property. (Education Code 48900.7)

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

19. Committed sexual harassment as defined in Education Code 212.5. (Education Code 48900.2)
20. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 33032.5. (Education Code 48900.3)
21. 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 Glasswork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment (Education Code 48900.4)

(cf. 5145.3 -Nondiscrimination/Harassment)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent/principal or within any other school district, including but not limited to the following circumstances:

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.

The Superintendent/principal may use his/her discretion to provide alternatives to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program. (Education Code 48900(r))

cf. 5138 -Conflict Resolution/Peer Mediation)

Alternatives to suspension or expulsion will be used against students who are truant, tardy, or otherwise absent from assigned school activities.

(cf. 5113 -Absences and Excuses)

(cf. 5113.1 - Truancy)

Suspension from Class by a Teacher/Parental Attendance

A teacher may suspend any student from the teacher's class for any of the acts listed under "Grounds for Suspension and Expulsion" above for the day of the suspension and the day following. (Education Code 48910)

Suspension from class means the removal of a student from class by a teacher for the day of the suspension and the next day. A teacher may suspend a student from class and may also refer a student for consideration of suspension from school for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

When suspending a student from his/her class, the teacher shall immediately report this action to the principal and send the student to the principal for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been suspended.

As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the suspension. A counselor or psychologist should attend the conference if it is practicable, and a school administrator may attend if either the parent/guardian or teacher so request.

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

A student suspended from class shall not be placed in another regular class during the period of suspension. However, if a student is assigned to more than one class per day, he/she may be placed in any 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 suspended student to complete any assignments and tests missed during the suspension. (Education Code 48913)

When a teacher requires a parent/guardian to attend school in accordance with Board Policy, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is required pursuant to law. (Education Code 48900.1)

1. This notice shall also tell the parent/guardian when his/her presence is expected and by what means he/she may arrange any necessary change.

2. The notice shall describe the protections afforded to the parent/guardian as an employee by Labor Code 230.7.

3. The notice shall state that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student.

The teacher shall remind the parent/guardian to meet with the principal or designee after completing the classroom visit and before leaving school premises.

Suspension By Superintendent, Principal Or Principal's Designee

A Superintendent, principal, or principal's designee may suspend a student from a school for any of the acts listed under "Grounds for Suspension and Expulsion" above for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

The Superintendent or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife, as defined in Education Code 48915(g), at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item 414 under "Grounds for Suspension and Expulsion" above.
5. Possession of an explosive as defined in 18 USC 921.

Suspension may be imposed upon a first offense if the Superintendent, principal or designee determines the student violated items (i) - (v) listed in "Grounds For Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903 and 48912)

Suspension Procedures

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the principal or designee or the Superintendent or designee between 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 and the evidence against him/her and shall be given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911(b))

This conference may be omitted if the principal, designee or the Superintendent or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or school personnel. If the pre-suspension conference is not held, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference will be held as soon as the student is physically able to return to school. (Education Code 48911(c))

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior

A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee, who in turn will inform the Board.

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 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 also state the date and time when the student may return to school.

Should school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may also add that state law requires the parent/guardian to respond to such request without delay.

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

While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such conference. The student may not be denied readmission solely because the parent/guardian failed to attend. (Education Code 48911)

5. Extension of Suspension: If the expulsion of a suspended student is being considered by the Board, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision. (Education Code 48911(g))

Any extension of the original period of suspension shall be 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. Extension of the suspension may be made only if 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(g))

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal or Principal's 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 if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. 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 may hold closed sessions if a public hearing would lead to disclosure of information which would violate a student's right to privacy under Education Code 49073-49079.

(cf. 9321 -Closed Session Purposes and Agendas)

The Board shall provide the student with written notice of the closed session by registered or certified mail. Upon receiving this notice the student 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 shall be in closed session. (Education Codes 48912)

Authority to Expel

A student may be expelled only by the Board. The Board shall expel, as required by law, any student found to have committed certain offenses listed below under "Mandatory Recommendation and Mandatory Expulsion."

The Board may also order a student expelled for any of the acts listed above under "Grounds for Suspension and Expulsion" upon recommendation by the principal, Superintendent, hearing officer or administrative panel, based on finding either or both of the following: (Education Code 48915(b) and (e))

1. That other means of correction are not feasible
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

Mandatory Recommendation For Expulsion

The principal, Superintendent or designee shall recommend a student's expulsion for any of the following acts, unless the principal or Superintendent or designee finds, and reports in writing to the Board, that expulsion is inappropriate due to particular circumstances which shall be set out in the report of the incident:

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife as defined in Education Code 48915(g), explosive 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 the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee.

Mandatory Recommendation And Mandatory Expulsion

The principal, Superintendent or designee shall recommend that the Board expel any student found at school or at a school activity off school grounds to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48915(c).1)
2. Brandishing a knife as defined in Education Code 48915(g) at another person. (Education Code 48915(c).2)
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058. (Education Code 48915(c).3)
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above. (Education Code 48915(c).4)
5. Possessing an explosive as defined in 18 USC 921.

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

Student's Right to Expulsion Hearing

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred. (Education Code 48918(a))

The student is entitled to 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 district's discretion. (Education Code 48918(a))

If the district finds it impracticable 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))

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

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 48915.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Education Code 48915.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing.
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies.
3. Have a closed hearing during the time he/she testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48915.5)

Written Notice of the Expulsion Hearing

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least ten 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. A parent/guardian of a student expelled for acts described in paragraphs through 4 of Education Code 48915(a), seeks enrollment in another district they must inform the new district of the student's status with the expelling district, pursuant to Education Code 48915.1.

(cf. 5119 -Students Expelled from Other Districts)

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

Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and Education Code 35145, the Board shall conduct the hearing or arrange for an alternative 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 request is made, the meeting shall be public

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to deliberate and determine if the student should be expelled. If the Board admits any other person to the closed session, the parent/guardian, the student, counsel of the student and counsel of the parent/guardian shall also be allowed to attend the closed session. (Education Code 48918(c))

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

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

3. Presentation of Evidence: While technical rules of evidence do not apply to such hearings, 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 must be supported by substantial evidence that the student committed any of the above acts listed under "Grounds for Suspension and Expulsion" above. Findings of fact shall be based solely on the evidence at the hearing.

While no evidence 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) and

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 Witness: The following procedures shall be observed when hearings involve allegations of sexual assault or sexual battery by a student: (Education Code 48918)

- a. Any complaining witness shall be given five days' notice before being called to testify.
- b. Any complaining witness shall be entitled to have up to two adult support persons, including but not limited to a parent/guardian or legal counsel, present during his/her testimony.
- c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- e. If one or both support persons are also witnesses, the hearing shall be conducted according to Penal Code 868.5.
- f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard.

Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.

g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.

(1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.

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

(3) The person conducting the hearing may:

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

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

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

6. Decision Within Ten Days: The Board's decision on whether to expel a student shall be made within ten school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

7. Decision Within 40 Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative 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. Alternatively, the Board may 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(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified in "Conduct of Expulsion Hearing" above.

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 student shall be immediately reinstated. (See "Reinstatement" below.) The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers and with the student's parent/guardian. (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))

The hearing officer or administrative panel may recommend that the Board suspend the expulsion for a period of one year. (See "Suspension of Expulsion" below.)

The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Stipulated Expulsions

It is the policy of the Redlands Unified School District that, where approved by the Superintendent or designee, parents/guardians may agree to the expulsion of their pupil by stipulation without necessity of a hearing. This process will expedite the pupil's school placement and may expedite the rehabilitation process.

A stipulated expulsion must be purely voluntary. No district administrator or staff member may coerce a pupil, parent or guardian into entering into such a stipulation. Parents/guardians will be given three calendar days to decide on a stipulated expulsion agreement.

If the parent/guardian requests a stipulated expulsion, the Superintendent or designee will promulgate the stipulated agreement. If at any time the parent/guardian decides not to pursue a stipulated agreement, the expulsion proceedings and timelines, extended by the length of the period for consideration of the stipulation, will be reinstated. The stipulated agreement will be presented to the Board for final consideration.

The stipulated agreement will include the terms and conditions of the expulsion order, including alternative placement and a rehabilitation plan to be completed before the student can be re-admitted to the district.

Final Action by the Board

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel, the final action to expel must be taken by the Board at a public meeting. (Education Code 489180)) The Board shall maintain a record of each expulsion, including its cause. Expulsion records shall be non- privileged, disclosable public records.

(cf. 9321.1 - Closed Session Actions and Reports)

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

Upon ordering the 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 an act listed under "Mandatory Recommendation and Mandatory Expulsion" above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. (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 of the student at the time of review for readmission.
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service and other rehabilitative programs.
3. Such other recommendations as the Board approves.

With parental 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)

Upon expulsion, a copy of readmission procedures will be made available to the student and his/her parent/guardian.

Written Notice to Expel

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

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed in Education Code 48900(a)-(o), Education Code 48900.2-48900.4 and Education Code 48915(c). (Education Code 48900.8)
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian. (Education Code 48916)
3. Notice of the right to appeal such expulsion to the County Board of Education. (Education Code 48918)
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion. (Education Code 48918)
5. The notice also shall inform the student or parent/guardian of his/her 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)

Suspension of Expulsion

The Board, upon voting to expel a student, may suspend the enforcement of the expulsion order for not more than one calendar year. When deciding whether to suspend an expulsion, the Board shall take into account the following criteria:

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

The suspension of the enforcement of an expulsion shall be governed by the following: (Education Code 48917)

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.
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status.
3. The suspension of expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion" above or violates any of the district's rules and regulations governing student conduct.
4. When suspension of expulsion order is revoked, a student may be expelled under the terms of the original expulsion order
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expungement of any or all records of the expulsion proceedings.
6. Suspension 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 of Education.
7. 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 also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education. (Education Code 48918(i))

Right to Appeal

The student or parent/guardian is entitled to file an appeal of the Board's decision to the County Board of Education.

The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion action is suspended and the student is placed on probation. (Education Code 48919)

Post-Expulsion Placements

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

(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for acts described in items #6 through # 13 and # 17 through # 19 under "Grounds for Suspension and Expulsion" above may be instead referred to a program of study that is provided at another comprehensive middle, junior, or senior high school, or at an elementary school.

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)

Reinstatement

When the Board accepts a recommendation against expulsion or makes its own decision after the hearing not to expel, the decision is final and the student shall be reinstated immediately. The Superintendent or designee shall place the student in any classroom program, other instructional program, rehabilitation program, or any combination of such programs following consultation with district personnel, including the teacher involved, and with the student's parent/guardian. (Education Code 48918(e))

Readmission

An expulsion order shall remain in effect until the Board may order the readmission of the student.

Readmission procedures shall be as follows:

1. A written request for review of expulsion action and request for readmission shall be submitted by the parent/guardian to the Superintendent or designee.
2. The Superintendent or designee will hold a conference with the parent/guardian and the student.
3. At the conference the conditions for readmission will be reviewed. The Superintendent or designee shall verify that the rehabilitation plan has been met.
4. School regulations will be reviewed and the student and parent/guardian will be asked to indicate in writing their willingness to comply with these regulations.
5. The Superintendent or designee will transmit the request for readmission to the Board, along with his/her recommendation. The Board shall consider the request in closed session if the information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it will be honored.
6. The Superintendent or designee will notify the student or parent/guardian, by registered mail, of the district's decision regarding readmission.
7. 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)
8. 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. (Education Code 48916)
9. 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)

Maintenance of Records

The Board will maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls, within five days of a written request by the admitting school. (Education Code 48900.8, 48918(k))

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

cf. 5119 - Students Expelled from Other Districts)

(cf. 5125 - Student Records)

Notifications and Reports

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

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 also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

Outcome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion.
2. The specific grounds for each recommended expulsion.
3. Whether the student was subsequently expelled.
4. Whether the expulsion order was suspended.
5. The type of referral made after the expulsion.
6. The disposition of the student after the end of the expulsion period.

Suspension and Expulsion/Due Process

Redlands Unified
Administrative Regulation
AR 51441
Adopted June 27, 1995
Students

Definitions

Suspension from school 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. Removal from a particular class shall not occur more than once every five school days.

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

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian or legal counsel. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

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, suspension and expulsion. Transfer students and their parents/guardians shall be notified at the time of enrollment. (Education Code 35291.5, 48900.1, 48980)

(cf. 5144 - Discipline)

Notification shall include information about the ongoing availability of individual school rules and all district policies and regulations pertaining to student discipline. (Education Code 35291)

(cf. 5145.6 - Parental Notifications)

Grounds for Suspension and Expulsion

A student may be subject to suspension or expulsion when it is determined that he/she:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense. (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aide or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code 48900(s))

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

(cf. 5131 - Conduct)

(cf. 5131.7 - Weapons and Dangerous Instruments)

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

(cf. 5131.6 - Alcohol and Other Drugs)

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

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

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

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

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

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

10. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5. (Education Code 48900(j))

11. Disrupted school activities or otherwise willfully defied 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))

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

13. Possessed an imitation firearm, i.e., 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))

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

15. 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))

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

Pursuant to Education Code 48900.7, the making of a terrorist threat includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person or property damage in excess of \$1,000.00, 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.

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

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

Pursuant to Education Code 48900.2 the conduct constitutes harassment when considered from the perspective of a reasonable person of the same gender as the victim to be 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.

(cf. 5145.7 - Sexual Harassment)

18. 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)

(cf. 5145.9 - Hate-Motivated Behavior)

Education Code 233 defines "hate violence" as any act punishable under Penal Code 422.6, 442.7 or 422.75. Such acts include injuring or intimidating another person, interfering with the exercise of a person's civil rights, or damaging a person's property because of the person's race, color, religion, ancestry, national origin, disability, gender or sexual orientation.

19. Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading student rights by creating an intimidating or hostile educational environment. (Education Code 48900.4)

(cf. 5145.3 - Nondiscrimination/Harassment)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent or principal or within any other school district, including but not limited to the following circumstances: (Education Code 48900)

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.

The Superintendent or principal may use his/her discretion to provide alternative to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program. (Education Code 48900(r))

Alternatives to suspension or expulsion will be used with students who are truant, tardy, or otherwise absent from assigned school activities.

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Truancy)

Removal from Class by a Teacher/Parental Attendance

A teacher may suspend any student from his/her class for the remainder of the day and the following day for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

A teacher also may refer a student to the principal or designee for consideration of suspension from school. (Education Code 48910)

When removing a student from his/her class, the teacher shall immediately report this action to the principal and send the student to the principal for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been removed.

As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the removal. A counselor or psychologist should attend the conference if it is practicable, and a school administrator may attend if either the parent/guardian or teacher so requests.

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

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

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

Pursuant to Board policy, a teacher may provide that the parent/guardian of a student whom the teacher has removed attend a portion of a school day in his/her child's classroom. When a teacher makes this request, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is requested pursuant to law. (Education Code 48900.1)

This notice shall also:

1. Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternate date.
2. Describe the legal protections afforded to the parent/guardian as an employee under Labor Code 230.7.
3. State that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student.
4. Ask the parent/guardian to meet with the principal after the visit and before leaving school, as required by Education Code 48900.1.

Suspension by Superintendent, Principal or Principal's Designee

The Superintendent, principal or principal's designee may suspend a student from a school for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

The Superintendent or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife, as defined in Education Code 48915(g), at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion".
5. Possession of an explosive as defined in 18 USC 921.

Suspension also may be imposed upon a first offense if the Superintendent, principal or designee determines the student violated items #1-5 listed in "Grounds for Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903, 48912)

The Superintendent or designee may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which a student may be suspended in any school year. (Education Code 48903)

Suspensions shall be initiated according to the following procedures:

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the principal, designee or the Superintendent 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 and the evidence against him/her; the student shall be given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911(b))

This conference may be omitted if the principal, designee or the Superintendent determines that an emergency situation exists. An "emergency situation" involves 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 a conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference will be held as soon as the student is physically able to return to school. (Education Code 48911(c))

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee.

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 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 also state the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may add that state law requires the parent/guardian to respond to such requests without delay.

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

While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such conference. The student may not be denied readmission solely because the parent/guardian failed to attend. (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. (Education Code 48911(g))

Any extension of the original period of suspension shall be 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. Extension of the suspension may be made only if 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)

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal or Principal's 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 if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. 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 closed sessions if a public hearing would lead to disclosure of information violating a student's right privacy under Education Code 49073-49079.

(cf. 9321 - Closed Session Purposes and Agendas)

The Board shall provide the student and his/her parent/guardian with written notice of the closed session by or certified mail. 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 Codes 35146, 48912)

On-Campus Suspension Program

Students for whom an expulsion action has not been initiated and who pose no imminent danger or threat to the school may be assigned to a separate, supervised suspension classroom for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

1. The supervised suspension classroom shall be staffed in accordance with law.
2. The student shall have access to appropriate counseling services.
3. The supervised suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.
4. Each student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom. The teacher 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 a supervised 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 shall be made in writing. (Education Code 48911.1)

Authority to Expel

A student may be expelled only by the Board. The Board shall expel, as required by law, any student found to have committed certain offenses listed below under "Mandatory Recommendation and Mandatory Expulsion."

The Board also may order a student expelled for any of the acts listed under "Grounds for Suspension and Expulsion" upon recommendation by the principal, Superintendent, hearing officer or administrative panel, based on finding 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.

Mandatory Recommendation for Expulsion

Unless the principal, Superintendent or designee finds that expulsion is inappropriate due to particular circumstances, the principal, Superintendent or designee shall recommend a student's expulsion for any of the following acts: (Education Code 48915 (a))

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife as defined in Education Code 48915(g), explosive or other dangerous object of no reasonable use to the student.
3. Unlawful possession of any controlled substance, as listed in the Health and Safety Code 11053-11058, except for the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee.

Mandatory Recommendation and Mandatory Expulsion

Note: The Attorney General has determined, in 80 Ops.Cal. Atty. Gen. 347 (1997), that a district may not adopt a zero tolerance policy mandating expulsion of a student for a first offense of possession of a controlled substance or alcohol.

The principal, Superintendent or designee shall recommend that the Board expel any student found at school or at a school activity to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife as defined in Education Code 48915(g) at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above.
5. Possessing an explosive as defined in 18 USC 921.

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

The initial recommendation for consideration of expulsion is that of the school principal or the Superintendent. Designees may not make this type of recommendation.

The recommendation for consideration of expulsion shall be submitted to the Director, Office of Student Services, who will review the material and recommend:

1. Reassignment to appropriate regular education program.
2. Refer student to Alternative Program; i.e., Community School, Independent Study, Continuation or Opportunity School, or other district programs.
3. Refer the matter to the Discipline Review Panel for further consideration.

When a case is referred to the discipline Review Panel, the panel shall question school personnel who have information on the incident and the behavior record of the student charged and weighs the evidence presented.

The panel shall, in the case of an expulsion consideration, weigh information presented to determine:

- a. Is the evidence sufficient to support consideration by the expulsion panel?
- b. Has the district, through the schools involved, considered or utilized alternatives to expulsion when possible?
- c. Have due process procedures been adhered to?

The recommendation shall be either to proceed with the expulsion or to utilize an existing practical alternative in lieu of expulsion.

If the district (school) has not adhered to due process requirements, the student shall be returned to school immediately.

If the Discipline Review Panel meets to consider a matter other than an expulsion, it shall provide its best judgment as to an effective alternative program or plan to action.

The recommendation of the Discipline Review Panel shall be forwarded to the Director, Office of Student Services, who shall then review the facts, concur, veto or modify the recommendation.

4. That an expulsion panel be convened.

At the time a recommendation for expulsion is submitted, a hearing shall be scheduled by the Superintendent or designee to determine whether the suspension shall be extended. If the decision is to extend the suspension, the period of time shall be until the Board has rendered a decision or until the expulsion process is otherwise terminated.

The extension of suspension shall be based upon determination by the Superintendent or designee that the presence of the student at the school or in an alternative school placement would cause a danger to persons or property or a threat of disrupting the instructional process. This extension shall be imposed only after the student and the parent/guardian have been given the opportunity to be present at a hearing conducted by the Superintendent or designee. At this time, the student and parent/guardian shall be given the opportunity to be heard and present any information that might bear upon the decision.

Materials which support the decision of the person recommending the expulsion shall be prepared and submitted to the Office of Student Services. The departments of Attendance, Guidance, Special Education and/or Health may be requested to assist in the preparation of this material.

Student's Right to Expulsion Hearing

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred. (Education Code 48918 (a))

The student is entitled to 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 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 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 no 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))

Waiver of Hearing (Default Proceedings)

If the parent/guardian agrees that their son/daughter behaved essentially in the manner stated in the principals letter recommending expulsion and that such behavior constitutes a violation of the California Education Code, Section 48900, 48900.2, 48900.3, 48900.4, 48900.7 and/or 48915 a suspendable/expellable offense, the parent/guardian may request to waive the Administrative Hearing Panel.

When the parent/guardian agrees to waive the Administrative Hearing Panel, they also waive all notification and timelines related to the expulsion hearing process, along with their rights to appeal the determination of the Board.

The signed affidavit and findings of fact will be submitted to the Board for their approval. The Board has the discretionary power to accept, reject, or modify all recommendations.

Rights of Complaining Witness

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

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

1. Receive five days' notice of his/her scheduled testimony at the hearing.
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies.
3. Have a closed hearing during the time he/she testifies.

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

Written Notice of the Expulsion Hearing (Education Code 48918(b))

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

1. The date and place of the hearing.
2. A statement of the specific facts, charges and offense upon which the proposed expulsion is based.
3. A copy of district disciplinary rules which relate to the alleged violation.
4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment. This obligation applies when a student is expelled for acts other than those described in Education Code 48915 (a) or (c).
(cf. 5119 - Students Expelled from other Districts)

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

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

Non-attorney advisor 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.

Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and 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 request is made, the meeting shall be public, unless another student's privacy rights would be violated.

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to determine if the student should be expelled. If the Board admits any other person to the closed session, the parent/guardian, the student, and the counsel of the student, shall also be allowed to attend the closed session. (Education Code 48918(c))

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

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

3. Subpoenas: Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with the Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20, formerly 11525. (Education Code 48918(i))

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

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

4. Presentation of Evidence: While technical rules of evidence do not apply to expulsion hearings, 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 must be supported by substantial evidence that the student committed any of the acts listed in "Grounds for Suspension and Expulsion" above.

Findings of fact shall be based solely on the evidence at the hearing. While no evidence 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) and (h))

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

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

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

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

6. Decision Within 10 Days: The Board's decision on whether to expel a student shall be made within 10 school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

7. Decision Within 40 Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

Instead of conducting an expulsion hearing itself, the Board may contract with the county hearing officer or with the Office of Administrative Hearings of the State of California for a hearing officer. Alternatively, the Board may 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(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified in "Conduct of Expulsion Hearing."

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 student shall be immediately reinstated. (See "Reinstatement.") The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers, and with the student's parent/guardian. (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 for a period of one year. (See "Decision Not to Enforce Expulsion Order" below.)

The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

The Discipline Review Panel

The Discipline Review Panel will consist of elementary educators when a review is being made of an elementary student and of secondary educators when a review is being made of secondary student.

1. The Discipline Review Panel shall hear the following types of disciplinary cases:

- a. Requests for expulsion from site principals or the Superintendent.
- b. School site administrative requests for assistance (non-expulsion situations).

2. Each discipline review panel shall consist of three certificated persons plus a chairperson and shall consist of elementary educators when a review is being made of an elementary student and of secondary educators when a review is being made of a secondary student. A panelist may not serve on any panel involving a student who is currently attending the school in which he/she is assigned. A representative from Student Services shall be a nonvoting member of each panel.

A chairperson and assistant chairperson, to serve when the chairperson is unable to serve, shall be appointed by the Superintendent or designee and shall serve at his/her pleasure. Neither shall be a member of the Student Services staff.

A pool of panelists shall be established which shall be composed of personnel who have served or are currently serving as members of administrative expulsion panels. The committee chairman shall select members to serve on individual panels.

The meetings of the discipline review panel are open to school district personnel only.

The duties of the Discipline Review Panel are as follows:

1. The chairperson shall call a meeting of the panel as soon as possible, but no later than 10 school days after the receipt of notice of a pending case.

2. A recommendation must be forwarded to the Director, Office of Student Services, within three days of the review hearing.
3. In the event a member of the committee cannot be present at a meeting, the Director, Office of Student Services, will appoint an alternate from the pool to attend.

Final Action by the Board

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

(cf. 9321.1 - Closed Session Actions and Reports)

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

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 an act listed under "Mandatory Recommendation and Mandatory Expulsion" above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. (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 of the student at the time of review for readmission.
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service and other rehabilitative programs.

With parental 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 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 in Education Code 48900 (a)-(o), Education Code 48900.2-48900.4, Education Code 48915 (c) and (Education Code 48900.8).
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian. (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Governing Board. (Education Code 48918)
4. Notice of the alternative educational placements 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 Not to Enforce Expulsion Order

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

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

The suspension of the enforcement of an expulsion shall be governed by the following: (Education Code 48917)

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.
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status.

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” above or violates any of the district’s rules and regulations governing student conduct.
4. When the suspension of the enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order.
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings.
6. 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 County Board of Education.
7. 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 also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education. (Education Code 48918 (j))

Right to Appeal

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

Post-Expulsion Placements

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

(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for acts described in items #6 through #13 and #17 through #19 under “Grounds for Suspension and Expulsion” may be instead 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

Readmission procedures shall be as follows:

1. On the date set by the Board when it ordered the expulsion, the district shall consider readmission of the student. (Education Code 48916)
2. 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.
3. The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session if information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it shall be honored.
4. 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.
5. 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)
6. 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. (Education Code 48916)

7. 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)

Maintenance of Records

The Board shall maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls, within five days of a written request by the admitting school. (Education Code 48900.8, 48918(k))

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

(cf. 5119 - Students Expelled from Other Districts)

(cf. 5125 - Student Records)

Notifications 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 also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

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

Ouome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion.
2. The grounds for each recommended expulsion.
3. Whether the student was subsequently expelled.
4. Whether the expulsion order was suspended.
5. The type of referral made after the expulsion.
6. The disposition of the student after the end of the expulsion period.

Regulation: REDLANDS UNIFIED SCHOOL DISTRICT

Approved: June 27, 1995, Redlands, California

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

Kimberly teachers are notified through Raptor Alerts, emails, and all calls. The Kimberly community are notified through parent square callers, texts, and emails.

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

Policy 4119.11: Sex Discrimination and Sex-Based Harassment

The Governing Board is committed to providing a safe work environment that is free of harassment and intimidation. The Board prohibits sexual harassment against district employees by anyone, in any manner, and prohibits retaliatory action or behavior against any persons who complains, testifies, or otherwise participates in the complaint process established pursuant to this policy and accompanying administrative regulation. This policy shall apply to all district employees, interns, volunteers, contractors, job applicants, and other persons with an employment relationship with the district.

(cf. 0410 - Nondiscrimination in District Programs and Activities) (cf. 4030 - Nondiscrimination in Employment)

Sexual harassment includes, but is not limited to, harassment that is based on the sex, gender, gender identity, gender expression, or sexual orientation of the victim and harassment based on pregnancy, childbirth, or related medical conditions.

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation, and correction of sexual harassment, including but not limited to:

1. Providing training to all staff in accordance with law and administrative regulation.
2. Publicizing and disseminating the district's sexual harassment policy to staff.
3. Ensuring prompt, thorough, equitable, and fair investigation of complaints
4. Taking timely and appropriate corrective/remedial actions which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments.

The Superintendent or designee shall periodically evaluate the effectiveness of the district's strategies to prevent and address harassment. Such evaluation may involve conducting regular anonymous employee surveys to assess whether harassment is occurring or is perceived to be tolerated, partnering with researchers or other agencies with the needed expertise to evaluate the district's prevention strategies, and using any other effective tool for receiving feedback on systems and/or processes. As necessary, changes shall be made to the harassment policy, complaint procedures, or training.

Sexual Harassment Reports and Complaints

Any district employee who feels that he/she has been sexually harassed in the performance of their district responsibilities or who has knowledge of any incident of sexual harassment by or against another employee shall immediately report the incident to his/her supervisor, the principal, other district administrator, or the district's Title IX Coordinator. However, an employee may bypass his/her supervisor in filing a complaint if the supervisor is the subject of the complaint. A supervisor, principal, or district administrator who receives a harassment complaint shall promptly notify the Title IX Coordinator.

Once notified, the Title IX Coordinator shall ensure the complaint or allegation is addressed through AR 4119.12/4219.12/4319.12 – Title IX Sexual Harassment Complaint Procedures or AR 4030- Nondiscrimination in Employment, as applicable. Because a complaint or allegation that is dismissed or denied under the Title IX complaint procedure may still be subject to consideration under state law, the Title IX Coordinator shall ensure that any implementation of AR 4119.12/4219.12/4319.12 concurrently meets the requirements of AR 4030.

Notwithstanding the above, BP/AR 4119.12/4219.12/4319.12 and 4030 shall under no circumstances be used to resolve complaints brought by, on behalf of, or against students. All complaints brought by, on behalf of, or against students that allege “sexual harassment” as that term is defined in the federal regulations implementing Title IX of the Education Amendments of 1972 (see 34 C.F.R. § 106, et seq.) shall be investigated and resolved under BP/AR 5145.71. All complaints brought by, on behalf of, or against students that do not meet the definition of “sexual harassment” as set forth in the Title IX implementing regulations shall be investigated and resolved under BP/AR 1312.3.

(cf. 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaints)

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

Upon investigation of a sexual harassment complaint, any district employee who engages, or participates in sexual harassment, or who aids, abets, incites, compels, or coerces another to commit sexual harassment in violation of this policy is subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Reports) (cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4218 -

Dismissal/Suspension/Disciplinary Action)

Regulation 4119.12: Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures

The complaint procedures described in this administrative regulation shall be used to address any complaint governed by Title IX of the Education Amendments of 1972 alleging that a district employee, while in an education program or activity in which a district school exercises substantial control over the context and respondent, was subjected to one or more of the following forms of sexual harassment: (34 CFR 106.30, 106.44)

1. A district employee conditioning the provision of a district aid, benefit, or service on a person's participation in unwelcome sexual conduct
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291 (cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

All other sexual harassment complaints or allegations shall be investigated and resolved in accordance with AR 4030

- Nondiscrimination in Employment. The determination of whether the allegations meet the definition of sexual harassment under Title IX shall be made by the district's Title IX Coordinator.

(cf. 4030 - Nondiscrimination in Employment)

Because the complainant has a right to pursue a complaint under AR 4030 for any allegation that is dismissed or denied under the Title IX complaint procedure, the Title IX Coordinator shall ensure that all requirements and timelines for AR 4030 are concurrently met while implementing the Title IX procedure.

Reporting Allegations/Filing a Formal Complaint

An employee who is the alleged victim of sexual harassment may submit a report of sexual harassment to the district's Title IX Coordinator using the contact information listed in AR 4119.11/4219.11/4319.11 - Sexual Harassment or to the employee's direct supervisor or other district administrator, who shall forward the report to the Title IX Coordinator within one day of receiving the report. Upon receiving such a report, the Title IX Coordinator shall inform the complainant of the right to file a formal complaint and the process for filing a formal complaint.

A formal complaint, with the complainant's physical or digital signature, may be filed with the Title IX Coordinator in person, by mail, by email, or by any other method authorized by the district. (34 CFR 106.30)

Even if the alleged victim chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations when a safety threat exists. In addition, the Title IX Coordinator may file a formal complaint in other situations as permitted under the Title IX regulations, including as part of the district's obligation to not be deliberately indifferent to known allegations of sexual harassment. In such cases, the Title IX Coordinator shall provide the alleged victim notices as required by the Title IX regulations at specific points in the complaint process.

The Title IX Coordinator, investigator, decision-maker, or a facilitator of an informal resolution process shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. Such persons shall receive training in accordance with 34 CFR 106.45. (34 CFR 106.45)

Supportive Measures

Upon receipt of a report of Title IX sexual harassment, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures and shall consider the complainant's wishes with respect to the supportive measures implemented. Supportive measures shall be offered as appropriate, as reasonably available, and without charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures shall be nondisciplinary, nonpunitive, and not unreasonably burden the other party, including measures designed to protect the safety of all parties or the district's educational environment or to deter sexual harassment. Supportive measures may include, but are not limited to, counseling, extensions of deadlines, modifications of work schedules, mutual restrictions on contact, changes in work locations, leaves of absence, increased security, and monitoring of certain areas of the campus. (34 CFR 106.30, 106.44)

The district shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the district's ability to provide the supportive measures. (34 CFR 106.30)

Emergency Removal

If a district employee is the respondent, the employee may be placed on administrative leave during the pendency of the formal complaint process. (34 CFR 106.44)

If the respondent is a student, the district may, on an emergency basis, remove the student from the district's education program or activity, provided that the district conducts an individualized safety and risk analysis, determines that removal is justified due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations, and provides the student with notice and an opportunity to challenge the decision immediately following the removal. This authority to remove a student does not modify a student's rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973. (34 CFR 106.44)

Dismissal of Complaint

The Title IX Coordinator shall dismiss a formal complaint if the alleged conduct would not constitute sexual harassment as defined in

34 CFR 106.30 even if proved. The Title IX Coordinator shall also dismiss any complaint in which the alleged conduct did not occur in the district's education program or activity or did not occur against a person in the United States, and may dismiss a formal complaint if the complainant notifies the district in writing that the complainant would like to withdraw the complaint or any allegations in the complaint, the respondent is no longer employed by the district, or sufficient circumstances prevent the district from gathering evidence sufficient to reach a determination with regard to the complaint. (34 CFR 106.45)

Upon dismissal, the Title IX Coordinator shall promptly send written notice of the dismissal and the reasons for the dismissal simultaneously to the parties and shall inform them of their right to appeal the dismissal of a formal complaint or any allegation in the complaint in accordance with the appeal procedures described in the section "Appeals" below. (34 CFR 106.45)

If a complaint is dismissed, the conduct may still be addressed pursuant to AR 4030 - Nondiscrimination in Employment as applicable.

Informal Resolution Process

When a formal complaint of sexual harassment is filed, the district may offer an informal resolution process, such as mediation, at any time prior to reaching a determination regarding responsibility. The district shall not require a party to participate in the informal resolution process or to waive the right to an investigation and adjudication of a formal complaint. (34 CFR 106.45)

The district may facilitate an informal resolution process provided that the district: (34 CFR 106.45)

1. Provides the parties with written notice disclosing the allegations, the requirements of the informal resolution process, the right to withdraw from the informal process and resume the formal complaint process, and any consequences resulting from participating in the informal resolution process, including that records will be maintained or could be shared.
2. Obtains the parties' voluntary, written consent to the informal resolution process

Written Notice

If a formal complaint is filed, the Title IX Coordinator shall provide the known parties with written notice of the following: (34 CFR 106.45)

1. The district's complaint process, including any informal resolution process
2. The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known. Such notice shall be provided with sufficient time for the parties to prepare a response before any initial interview. If, during the course of the investigation, new Title IX allegations arise about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.
3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process
4. The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an attorney, and the ability to inspect and review evidence
5. The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process

The above notice shall also include the name of the investigator, facilitator of an informal process, and decision-maker and shall inform the parties that, if at any time a party has concerns regarding conflict of interest or bias regarding any of these persons, the party should immediately notify the Title IX Coordinator.

Investigation Procedures

During the investigation process, the district's designated investigator shall: (34 CFR 106.45)

1. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and

exculpatory evidence

2. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence
3. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney
4. Not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding, although the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as the restrictions apply equally to both parties
5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate
6. Send in an electronic format or hard copy to both parties and their advisors, if any, the evidence obtained as part of the investigation that is directly related to the allegations raised in the complaint, and provide the parties at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report
7. Objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and determine credibility in a manner that is not based on a person's status as a complainant, respondent, or witness
8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review and written response

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. (34 CFR 106.45)

Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.

If the complaint is against an employee, rights conferred under an applicable collective bargaining agreement shall be applied to the extent they do not conflict with the Title IX requirements.

Written Decision

The Superintendent shall designate an employee as the decision-maker to determine responsibility for the alleged conduct, who shall not be the Title IX Coordinator or a person involved in the investigation of the matter. (34 CFR 106.45)

After the investigative report has been sent to the parties but before reaching a determination regarding responsibility, the decision-maker shall afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party.

The decision-maker shall issue, and simultaneously provide to both parties, a written decision as to whether the respondent is responsible for the alleged conduct. (34 CFR 106.45)

The written decision shall be issued within 60 calendar days of the receipt of the complaint.

The timeline may be temporarily extended for good cause with written notice to the complainant and respondent of the extension and the reasons for the action. (34 CFR 106.45)

In making this determination, the decision-maker shall use the "preponderance of the evidence" standard for all formal complaints of sexual harassment. (34 CFR 106.45)

The written decision shall include the following: (34 CFR 106.45)

1. Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR 106.30

2. A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the district includes hearings as part of the grievance process
3. Findings of fact supporting the determination
4. Conclusions regarding the application of the district's code of conduct or policies to the facts
5. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's educational program or activity will be provided by the district to the complainant
6. The district's procedures and permissible bases for the complainant and respondent to appeal

Appeals

Either party may appeal the district's decision or dismissal of a formal complaint or any allegation in the complaint, if the party believes that a procedural irregularity affected the outcome, new evidence is available that could affect the outcome, or a conflict of interest or bias by the Title IX Coordinator, investigator(s), or decision-maker(s) affected the outcome. If an appeal is filed, the district shall: (34 CFR 106.45)

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties
2. Ensure that the decision-maker(s) for the appeal is trained in accordance with 34 CFR 106.45 and is not the same decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator
3. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome
4. Issue a written decision describing the result of the appeal and the rationale for the result
5. Provide the written decision simultaneously to both parties

An appeal must be filed in writing within 10 calendar days of receiving the notice of the decision or dismissal, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered.

A written decision shall be provided to the parties within 20 calendar days from the receipt of the appeal.

Either party has the right to file a complaint with the U.S. Department of Education's Office for Civil Rights within 180 days of the date of the most recently alleged misconduct.

The complainant shall be advised of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal antidiscrimination laws, if applicable.

Remedies

When a determination of responsibility for sexual harassment has been made against the respondent, the district shall provide remedies to the complainant. Such remedies may include the same individualized services described above in the section "Supportive Measures," but need not be nondisciplinary or nonpunitive and need not avoid burdening the respondent. (34 CFR 106.45)

Disciplinary Actions

The district shall not impose any disciplinary sanctions or other actions against a respondent, other than supportive measures as described above in the section "Supportive Measures," until the complaint procedure has been completed and a determination of responsibility has been made. (34 CFR 106.44)

When an employee is found to have committed sexual harassment or retaliation, the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Report)

(cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4119.11/4219.11/4319.11 - Sexual Harassment) (cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Record-Keeping

The Superintendent or designee shall maintain, for a period of seven years: (34 CFR 106.45)

1. A record of all reported cases and Title IX investigations of sexual harassment, any determinations of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary sanctions imposed, any remedies provided to the complainant, and any appeal or informal resolution and the results therefrom.
2. A record of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment, including the district's basis for its conclusion that its response was not deliberately indifferent, the measures taken that were designed to restore or preserve equal access to the education program or activity, and, if no supportive measures were provided to the complainant, the reasons that such a response was not unreasonable in light of the known circumstances.
3. All materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process. The district shall make such training materials publicly available on its web site, or if the district does not maintain a web site, available upon request by members of the public.

(cf. 1113 - District and School Web Sites) (cf. 3580 - District Records)

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

Policy 5132.16: Student Dress Guidelines

The Governing Board believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Students' clothing must not present a health or safety hazard or a distraction which would interfere with the educational process.

Students and parents/guardians shall be informed about dress and grooming standards at the beginning of the school year and whenever these standards are revised. A student who violates these standards shall be subject to appropriate 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 dress code may be included as part of the school safety plan and must be presented to the Board for approval. The Board shall approve the plan upon determining that it is necessary to protect the health and safety of the school's students.

Uniforms

The Board recognizes that, in order to promote student safety and discourage peer rivalry and/or gang activity, the principal, staff and parent/guardian at a school site may wish to establish a reasonable dress code, which may include voluntary school uniforms.

Dress codes, which include voluntary school uniforms, may be included as part of the school safety plan submitted as required.

The Superintendent or designee shall establish procedures that schools, parents and guardians will follow if they decide to participate with the voluntary school uniform policy. Students shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardian decide not to participate.

The Governing Board feels that there is nothing inherently wrong with dress or color of dress, but when student's dress serves to intimidate or impede the rights of other students it will be determined that dress is in violation of this policy. A student may not remain at school dressed in a manner which (1) creates a safety hazard for said student or for other students at school, and/or (2) when the dress constitutes a serious and unnecessary distraction to the learning process or tends to disrupt campus order

When the site administrator/designee determines that a student's attire is in violation of this policy, the student will be required to modify his/her clothing and/or apparel in such a manner that it no longer violates this policy. If necessary, the student may be taken or sent home with parental permission to modify unacceptable dress and return to school. Refusal to take steps as described in this policy shall be cause for disciplinary action against the student. Any such disciplinary action shall be handled pursuant to existing student disciplinary policy

Parents/guardians have primary responsibility to see that students are properly attired for school. School district personnel have the responsibility for maintaining proper and appropriate conditions conducive to learning. Hence, the following guidelines will be implemented in all district schools.

1. Shoes will be worn at all times. A substantial sole is required and enclosed toe and heel footwear are highly encouraged.
2. Extremely brief garments that are distracting to the educational environment are not appropriate. Clothing shall be sufficient to conceal undergarments at all times.
3. Clothing or accessories shall be free of writing, pictures or any other insignia which are crude, violent, obscene or sexually suggestive or which advocate racial, ethnic or religious prejudice or the use of tobacco, drugs or alcohol.
4. Earrings, jewelry, or accessories which present a safety hazard to the wearer or others are not suitable for school wear.
5. Only prescription sunglasses may be worn in class. Other types of sunglasses may be worn on campus outside of class.
6. Identified gang attire such as bandannas, haircuts or hair rollers, or any gang paraphernalia are prohibited.

Students are allowed to wear sun protective clothing, including hats, while outdoors during the school day. Each school site will develop a policy indicating the type of sun protective hats that are permitted.

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

The purpose of adopting these Student Dress Guidelines is not to infringe on any individual student's rights to freedom of expression, but rather to encourage students to dress appropriately and come to school properly prepared for participating in the educational process.

Gang-Related Apparel

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed as needed and updated as necessary.

Uniforms

In schools where a majority of parents respond and indicate on a survey that they desire to establish a voluntary school-wide uniform dress code, the principal, staff and the parents/guardians of the individual school site shall:

1. Jointly select the specific uniform to be worn. (Education Code 35183)
2. Describe the uniform parts and identify local vendors who sell those pieces of clothing. A description of the implementation of the voluntary uniform dress code will be submitted to the superintendent's designee including:
 - a. The process for parent notification
 - b. Positive procedures that will be used to encourage students to participate with the voluntary uniform dress code
3. A description of the uniform and a list of costs for each competitively priced item of clothing as provided by a variety of vendors will be sent to parents.
4. Parents will be notified that this is a voluntary uniform dress code and that students not participating shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardians so decide.

Parent Notification

The principal shall give parents/guardian at least six months notice before a school site implements a voluntary school uniform dress code. (Education Code 35183)

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

Kimberly Elementary has four entrances open for students arrival and dismissal. All gates are opened and manned by a school employee. Once the day begins all gates are locked. During school hours Kimberly Elementary is a single entry school. All school personal and volunteers raptor in at the beginning of the day or upon their arrival.

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

Component:

Physical Environment

The Schools' Location and Physical Environment

Kimberly Elementary School is located in the Redlands area of San Bernardino County that has an average crime rate and average poverty level. The school is located in a residential neighborhood. Kimberly Crest, a historical site and Prospect Park are less then a mile away. Present safety hazards include street and parking lot traffic.

Description of School Grounds

The school site encompasses appr. 9 acres. The grounds are grass, concrete and asphalt and includes basketball and volleyball courts, baseball diamonds and a lined track. There are several wings and/or clusters of classrooms including 21 classrooms 13 re-locatable classrooms. Other ancillary structures include a multi-purpose room and school office.

During the school day, staff members and administrators shall provide campus supervision. Identified problem areas receive increased supervision to reduce discipline, crime, or other school safety concerns. Kimberly has five campus monitors for recess and lunch supervision.

It shall be the practice of Kimberly Elementary School to remove all graffiti from school property before pupils arrive to begin their school day. Other acts of vandalism are promptly addressed.

Maintenance of School Buildings/Classrooms

The school's physical facility is well maintained and generally looks neat and clean. The school was last painted during the summer of 2020 and renovated during the modernization project of the 2003-04 school year. District personnel periodically examine the school's physical facility and help eliminate obstacles to school safety. Additionally, health and fire department inspectors contribute to school safety. All areas pasted the most recent fire safety check for the 2024-2025 school year.

When attention is needed, the school staff submits a work order which puts the item in the queue to be addressed by district maintenance.

Internal Security Procedures

Kimberly Elementary School has established procedures in the following areas: California Safe School Assessment (CSSA) reporting procedures, suspension and expulsion procedures, inventory system, and bullying prevention measures through PBIS and supported through Behavior Expectations. All students are required to carry a hall pass issued by a staff member with date/time/destination. When the student reaches the destination, the staff member will write the return time.

Kimberly Elementary School crime statistics reflect a total of 0 crimes reported during the 2023-24 school year.

Keeping reportable crimes at a minimum requires constant vigilance. The following strategies will be utilized in achieving this goal Maintaining a satisfactory level of supervision, providing counseling resources when necessary, and utilizing effective disciplinary strategies.

Kimberly Elementary School maintains a copy of the district's sexual harassment policy in the main office/principal's office and the policy is available on request. The District's Sexual Harassment Policy contains dissemination plans, applicable definitions, reporting requirements, investigation procedures, enforcement regulations, and information related to suspension and/or expulsion for sexual harassment of or by pupils. Additionally, a notice summarizing this sexual harassment policy appears in the Parent & Student Handbook. The parent student handbook is distributed at the beginning of each school year to all parents and pupils.

To ensure the safety of pupils and staff, all visitors to the campus, except pupils of the school and staff members, shall register immediately upon entering any school building or grounds when school is in session. All District employees, and visitors must wear appropriate identification badges while on campus conducting business.

Kimberly is a PBIS school and has created PBIS expectations. Kimberly's expectations are Respectful, Responsible, and Safe. Students, staff, and families are aware and trained on these expectations. Discipline procedures shall focus a positive approach that help students learn and grow. The school's discipline plan begins at the classroom level. Teachers use our PBIS Tiered support model that consist of minor and major acts. As a PBIS school Kimberly has put positive reinforcement into place to promote positive behaviors and corrections. Kimberly uses a progressive discipline model embedded with Tier 3 supports. When discipline is needed Ed Code is followed and referenced.

Pupil conduct standards and consequences for Kimberly Elementary School are specifically described in this Comprehensive Schools Safety Plan including: (a) the adopted school PBIS expectations, (b) District Disciplinary Guidelines, and (c) the adopted school-wide dress code.

Pupils may be suspended, transferred to another school, or recommended for expulsion or for certain acts. For specific student violations, a mandatory expulsion recommendation shall be submitted by the administration of Kimberly Elementary School.

Site administrators contribute to a positive school climate, promote positive pupil behavior, and help reduce inappropriate conduct. The principal/designee uses available district and other appropriate records to inform teachers of each pupil identified under E.C. 49079.

Law enforcement is contacted and consulted to help maintain and to promote a safe and orderly school environment. Kimberly Elementary School employees comply with all legal mandates, regulations, and reporting requirements for all instances of suspected child abuse.

If appropriate, additional internal security procedures affecting the integrity of the school facility include: newly installed electronic locking systems, updated locking mechanisms and peep holes in all classrooms, doors kept locked during school hours, new front office doors, regularly scheduled emergency drills, and revisions to our lockdown procedures.

Community involvement is encouraged to help increase school safety.

All classrooms and common spaces have a See Something/Hear Something/Sense Something/Say Something poster on the wall. These posters list local law enforcement phone numbers as well as an anonymous report line called Sprigeo. Anyone can report bullying or safety threats of any kind. Sprigeo then sends an email to the school administrator for attention. The phone number for Sprigeo is 909.703.8736.

Inventory System - Engraved ID, Security Storage

Most school-site equipment has an ID tag or a bar cod sticker adhered to its surface. These items are inventoried annually and there is an established accountability system. Office and classroom supplies are secured.

Element:

Goal 1:

The school will maintain a safe and clean campus as evidenced by data reports, surveys, and inspections.

Opportunity for Improvement:

I. Areas of Pride and Desired Improvements

a. Pride

1. The school has a vast campus with large green spaces that are well-maintained by district grounds personnel.
2. There is significant parent involvement in and support for school activities, events, and clubs.

b. Areas of Desired Improvement

1. Update school evacuation and emergency plans to include all staff and to better account for the safety of physically, mentally, and medically impaired students.
2. Provide new backpacks(every classroom), supplies, and radios for each hallway to help communications in an emergency.

Objectives	Action Steps	Resources	Lead Person	Evaluation
II. Desired Change #1 Custodial route duties have been revised to maximize effectiveness and efficiency and will be monitored regularly to ensure adequate cleanliness of the campus. Custodial staff will adhere to health and safety protocols for cleaning and disinfecting as determined by the district in response to the coronavirus pandemic.	a. Related Strategies and Activities 1. A detailed route has been evaluated and will be revised as needed with input by the RUSD Maintenance and Operations Department for both the lead and night custodians, which will be reviewed annually at minimum with permanent custodians by the principal and with substitute custodians by the office manager to ensure they understand their duties and district expectations for cleanliness. 2. Data will be collected quarterly by district personnel, monthly by the lead custodian, and informally each week by the principal.	a. Resources Required 1. Maintenance and Operations personnel to review routes and train custodial staff 2. Custodial supplies b. Budget 1. RUSD funding for personnel 2. Custodial Supply Budget	a. Personnel Assignments 1. Lead Custodian 2. Night Custodian	a. Evaluation criteria 1. FIT report, quarterly data reports 2. Parent, staff, and student surveys b. Timeframe for completion 1. on-going 2.
III. Desired Change #2 Establish an effective emergency and evacuation plan that ensures the safety of all students, including those who are physically, mentally, and medically impaired.	a. Related Strategies and Activities 1. Evaluate and revise, as necessary, the emergency evacuation plan to ensure safe routes for all students and staff, including those in wheelchairs and those with difficulty walking; identify protected wait areas for students with special needs. 2. Nov. 1st extensive Safety Training 3. Use older/unused radios as an alternative use of communication in a state of an emergency. 4. Replace current radios.	a. Resources Required 1. Supplies per list determined by each response team 2. District and RUSD police b. Budget 1. General Fund/Principal Fund 2. Donations or funds raised	b. Personnel Assignments 1. Administration, All staff 2. Safety Committee	a. Evaluation criteria 1. Input from teachers, parents, and other staff members after each drill. 2. Follow Up form from Teacher regarding Nov. 1st safety training. b. Timeframe for completion 1. 2024-25 school year

Component:
School Climate

The School's Social Environment

Kimberly is a positive community based environment. There is a strong Leadership team that helps collaborate and make decisions that are best for students. The Kimberly community supports each other and works together to create excellence in the areas of academic and social behavior.

The principal partners with staff Leadership and all staff to provide the best first instruction in all academic areas and safety. The school Leadership team meets monthly while also taking the time to reach out to all staff for feedback. Parents are involved in decision making and help build strong partnerships between school and home. The school site's organizational structure is open and flexible contributing to sensitivity concerning school safety issues and promoting a safe, orderly school environment conducive to learning.

Disaster Procedures, Routine and Emergency

A contingency plan for emergencies is contained in a handbook available to each staff member. The District's Emergency Response Plan - (ERP Plan) is listed at the last section of this plan. The plan is reviewed at the beginning of each school year. This plan also contains available district and outside agency resources, emergency disaster procedures and information on Standardized Emergency Management System (SEMS).

Classroom Organization and Structure

Kimberly Elementary School teachers provide Best First Instruction in all subject areas. Teachers use a variety of teaching strategies including: the use of CCSS-aligned curriculum, small group/whole group instructional practices, intervention programs for students performing significantly below grade level, differentiation, and collaboration/coaching with grade level teams and teachers-on-assignment (when applicable). These practices are reviewed monthly during staff collaboration time and data reviews.

The teachers at Kimberly Elementary School are highly qualified, with many teachers holding advanced degrees. The staff is united in their desire to provide quality education for all pupils. Classrooms and teachers provide safe, orderly learning environment, enhance the experience of learning, and promote positive interactions amongst pupil and staff. Instructional time is maximized and disruptions are minimized.

The School's Cultural Environment

There is a high level of cohesiveness among the staff members at Kimberly Elementary School. Cooperation and support between teachers and the administration is evident. Efforts are made by the administration and staff to show concern for all pupils.

All pupils are engaged in learning and problem solving. When students have a concern they are lead in restorative practices and PBIS strategies to help them problem solve and learn.

Students are recognized for academic and behavior efforts throughout the school year.

Cultural diversity is celebrated throughout the year by various assemblies and activities as well as units of study, lessons, and activities planned by Kimberly teachers.

Element:

Goal 2:

The school will provide a welcoming atmosphere for children, parents, and other visitors while effectively maintaining a closed campus before and during school.

Opportunity for Improvement:

I. Areas of Pride and Desired Improvements

a. Pride

1. Create spaces on campus that inspire student learning.
2. Monthly student awards assemblies and school events, both school and PTA sponsored, are well attended and supported.

b. Areas of Desired Improvement

1. Inspire the school community through Murals and art.

2. Improve out door learning areas.

Objectives	Action Steps	Resources	Lead Person	Evaluation
II. Desired Change #1 Recognize students for their talents and hard work, while creating a sense of community.	a. Related Strategies and Activities 1. Work with PTA to sponsor community-building activities before or after school that help parents build relationships with other parents, in particular those of their student's grade level. 2. Regularly utilize effective communication channels to keep families informed of schoolwide events.	a. Resources Required 1. PTA support 2. Aeries Communication platform and school website b. Budget 1. Site funds 2. PTA funds as appropriate or needed	a. Personnel Assignments 1. Principal and/or designated staff to work with PTA 2. Principal will generate weekly all-school communications and maintain school website	a. Evaluation criteria 1. Parent surveys b. Timeframe for completion 1. 2024-25 school year 2.
III. Desired Change #2 Create inspirational areas around campus through murals and out door learning areas.	a. Related Strategies and Activities 1. Identify spaces on campus that can be improved. (MPR) 2. Get multiple bids for murals and out door learning areas.	a. Resources Required 1. School Safety Committee 2. Inter-agency cooperation (e.g. Redlands USD, City of Redlands) b. Budget 1. Principal's funds and PTA funds 2. District funding	a. Personnel Assignments 1. Principal and Leadership team will find what spaces are best. (MPR)	a. Evaluation criteria 1. Parent and student surveys b. Timeframe for completion 1. 2024-25 school year 2.

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

Kimberly Elementary School Student Conduct Code

Procedures to Ensure a Safe and Orderly Environment

Rules and Procedures on School Discipline

Philosophy of Discipline

- Behavior expectations and the consequences for not meeting expectations must be clearly communicated to all students and their parents (in writing as well as verbally).
- The severity of consequences for violating behavior expectations increases with each incident of inappropriate behavior.
- The consequences for violating behavior expectations should be severe enough to discourage students from making poor behavior decisions.
- Expectations and consequences should permit students an opportunity to eliminate inappropriate behavior.

Additionally, the school staff recognizes that the middle school years are a transition time from adolescence to young adulthood. As a part of this transition, the student is given greater opportunities to be responsible and demonstrate independence and good judgment. The structure of our behavior expectations (in the classroom as well as school wide) is meant to encourage students to be responsible. The first step in many instances of inappropriate behavior (those considered to be "minor") is a simple warning ("Your behavior is unacceptable. Please stop such behavior"). It is only when a student ignores such warnings and continues to choose to act irresponsibly (like a child rather than an emerging adult) that we involve parents and implement consequences.

Elements of a Good Discipline Program

1. The program is focused upon making the entire campus, especially the classroom, a safe, supportive and orderly environment for learning for students and staff.
2. Classroom authority is retained by the classroom teacher. (Administration's role is to support, not to replace.)
3. Rules and procedures are clearly understood by staff and students.
4. All staff members will acknowledge and take appropriate action on any minor or major infraction of the school rules.
5. Rules and procedures comply with State Law and District policies.
6. The program recognizes the responsibilities and the rights of students and staff.
7. Program is structured to keep students in class and engaged in the educational process.
8. Rules are enforced:
 - A. by all staff members at all times.
 - B. strictly, but not rigidly (beware of "automatics").
 - C. in substantial part by adult modeling.
 - D. using techniques that promote the growth of positive self-esteem.
 - E. as close to the source as is possible.
 - F. by keeping parents informed.
9. The discipline program is understood, endorsed, and supported by staff, parents, and students.

PRINCIPAL'S STATEMENT TO STAFF

Expectations in Developing & Maintaining Discipline

As Principal of our school, I will expect;

Each teacher to follow our school PBIS Expectation of being Responsible, Respectful, and Safe. PBIS posters and folders will be placed in classroom for students and substitute teachers to access.

You can expect;

Administrators to assist and support you in every reasonable way in developing, implementing, and refining our school PBIS Expectations.

I will expect

That when you refer a student for discipline:

1. The student has been made fully aware of classroom and school rules and knows what rules he/she has violated.
2. Teachers within a village will discuss any continuing behavior problems and schedule a team conference with the student and parents when appropriate.
3. That information will be provided on the referral regarding previous actions you have taken regarding this specific issue.
4. You have exhausted the interventions at your disposal (i.e., you have done everything you can do) and you have followed the guidelines established by the administration and staff on what constitutes an appropriate behavior referral.
5. The behavior was so serious or so blatant as to make immediate removal from the classroom necessary.
6. The written referral will be explicit in stating the offense(s).
7. You will send the student out of class with a referral only if his/her continued presence in the class would disrupt or prevent teaching and/or learning.
8. If necessary, the referral will be delivered to the office at a time convenient to the staff member so that the issue may be handled most efficiently, causing a minimum of lost class time.

You can expect

1. Each administrator to support your position in every reasonable way.
2. A response time on your referral of one, or at most, two days.
3. The availability of an administrator to discuss unresolved referrals after school on any given day.
4. That the administrator will exercise independent judgment regarding disposition of referrals.

I will expect

1. That each teacher will go to the doorway of his/her classroom after each class period as often as possible and assume control of student behavior in the corridor.
2. That each staff member will hold students accountable for their behavior on the school grounds at all times.

You can expect

1. Administrator support, investigation, and follow-through as indicated.
2. A response to referrals from incidents outside the classroom to be the same as to those within.

WHAT TO DO WHEN PROBLEMS APPEAR

Both behavioral and academic problems are present in some of our students. Teachers often ask for guidelines for dealing with these problems. Here they are:

1. Talk to the administrator assigned to your grade level.
2. Call parents at first sign of concern. Inform the parents of your observations, ask for their ideas, assistance, and support in serving the student. Keep a log of your calls.
3. If possible, talk privately to the student about your concerns.
4. Behavior concerns—look through students' CUM file. Any official suspensions will be in file, also look for teacher comments on report cards. Look for patterns of behavior. We use In-House Suspension whenever possible, as it is preferable to having students at home unattended—and it saves the district money. Serious infractions (fighting, threats, etc.) do result in official suspension. Unresponsive students can be moved to other schools or expelled.
5. Referrals—please remember if you write a student referral, you are required to call the parents. You are writing the referral and can answer the parents' questions firsthand. Administrators will also call parents, but we can only give secondhand information on the incident.
6. Academic Concerns—again, look through student CUM. This will contain test scores, report cards, and a student history. You may want to ask the grade level administrator to schedule a Student Study Team (SST). This will involve a meeting with the student, parents, administrators, students' teachers, and perhaps the psychologist

Conduct Code Procedures

(K) Hate Crime Reporting Procedures and Policies

Students, parents, staff, and community members can report through Sprigeo or adult on campus. It is an on-line reporting site that is monitored by the District and Kimberly Elementary. There are See Something, Hear Something, Sense Something, Say Something signs posted in all areas and classrooms throughout campus.

(J) Procedures to Prepare for Active Shooters

Kimberly Elementary will practice level 1, 2, and 3 lockdown drills multiple times during the school year. Safe and secure areas will be made known to all school personal and students. All emergencies are initiated through Raptor and signals the district response team.

5.3 Armed Assault on Campus

An Armed Assault on Campus involves one or more individuals who attempt to take hostages or cause physical harm to students and staff. Such an incident may involve individuals who possess a gun, a knife or other harmful device.

Procedure

1. Upon first indication of an armed assault, personnel should immediately notify the School Administrator.

2. The School Administrator will initiate the appropriate Immediate Response Action(s), which may include SHELTER-IN-PLACE, LOCK DOWN, EVACUATE BUILDING or OFF-SITE EVACUATION as described in Section 4.0.
3. The School Administrator will call “911” and Redlands Police Department, the school’s local law enforcement agency, at 909-798-7681, and provide the exact location and nature of the incident. The School Administrator should designate a person to remain online with Police if safe to do so. If there is an assigned officer on campus, they shall be notified.
4. Staff should take steps to calm and control students, and if safe to do so, attempt to maintain separation between students and the perpetrator.
5. Staff should maintain order in all areas of assembly or shelter, and should await the arrival of law enforcement.
6. After the perpetrator(s) has been neutralized, the School Administrator will conduct a headcount of students and staff, and will notify law enforcement of any missing persons.
7. The First Aid/Medical Team will work with local authorities to ensure injured students and staff receives medical attention.
8. The Security/Utilities Team will control all points of entry to the school.
9. The School Administrator will prepare a verified list of casualties, and the locations to which they were transported. The School Administrator will confer with the Psychological First Aid Team to ensure the notification of parents and family members.
10. All media inquiries will be referred to the designated Public Information Officer.
11. The School Administrator will debrief staff and campus and local police officers.

Procedures for Preventing Acts of Bullying and Cyber-bullying

Kimberly is a PBIS school that practice positive reinforcements. As a PBIS school students will participate in a Bully Prevention week along with Bullying lessons in every classroom. Students, parents, and communities member will also be able to fill out a Bullying form/Sprigeo report to notify the school and district so that it can be address immediately. There are See Something, Hear Something, Sense Something, Say Something signs posted in all areas and classrooms throughout campus.

Safety Plan Review, Evaluation and Amendment Procedures

Kimberly Elementary safety committee reviews the safety plan, evaluation, and amendment procedures three times a year. At a whole staff professional development all plans are reviewed.

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)
Back to School Staff Meeting - Review Student Handbook and Safety Measures on Campus.	August 5, 2024	Staff Professional Development Day (Room 15)
Staff Professional Development on Safety Procedures/Raptor/3 Levels of Student Safety Crisis	November 1, 2024	All Day Staff Professional Development Day (Room 15)

Emergency Response Guidelines

Step One: Identify the Type of Emergency

Determining the type of emergency will assist the administrator in making the appropriate decisions to keep the campus safe. There are See Something, Hear Something, Sense Something, Say Something signs posted in all areas and classrooms throughout campus.

Step Two: Identify the Level of Emergency

Determining the size and immediacy of the emergency will determine the level. The site leader will determine if it is a classroom only; building only, area only (i.e. playground), whole school, neighborhood, or city-wide emergency.

Step Three: Determine the Immediate Response Action

With safety of students, staff and visitors at the forefront, site administrators/commander will determine immediate response based on site protocols. Please reference sections about specific emergencies.

Step Four: Communicate the Appropriate Response Action

Administrator will communicate to the necessary emergency responders via Raptor/phone. Administrator will utilize a variety of communication tools to notify staff and emergency participants such as: Bell systems, phone intercom system, emails. In addition, the administrator will communicate with the District Office via emergency radio. Lastly, a community communication plan will be created to notify families of incident, pick-up procedures, or next steps through one or several methods: Parent Square, postings on website and all social media accounts.

Types of Emergencies & Specific Procedures

Earthquake

In the case of an Earthquake staff and students will secure themselves under their desks/tables in their classrooms. They will stay in this position until an all clear signal/bell lets them know to head safely out to the field. At that point all staff will take roll and turn in their emergency attendance sheet to account for all students assigned to them.

5.8 Earthquake

Earthquakes generally occur without warning and may cause minor to serious ground shaking, damage to buildings, and injuries. It is important to note that even a mild tremor can create a potentially hazardous situation and the following procedures should be implemented in response to all earthquakes regardless of magnitude.

Procedure

Note: Keep calm and remain where you are. Assess the situation, and then act. Remember, most injuries or deaths are the direct cause of falling or flying debris.

1. Upon the first indication of an earthquake, teachers should direct students to DUCK AND COVER as described in Section 4.0.
2. Move away from windows and overhead hazards to avoid glass and falling objects.

3. When the shaking stops, the School Administrator will initiate the EVACUATE BUILDING action as described in Section 4.0. Staff and students will evacuate the buildings using prescribed routes or other safe routes to the Assembly Area.
4. In the event of an evacuation, Teachers will bring their student roster and take attendance at the Assembly Area to account for students. Teachers will notify the Assembly Area Team of missing students.
5. The School Administrator will direct the Security/Utilities Team to post guards a safe distance away from building entrances to prevent access.
6. The Security/Utilities Team will notify school personnel of fallen electrical wires and instruct them to avoid touching the fallen wires.
7. The First Aid/Medical Team will check for injuries and provide appropriate first aid.
8. The School Administrator will direct the Security/Utilities Team to notify the appropriate utility company of damages (e.g., gas, power, water, or sewer).
9. If the area appears safe, the Search and Rescue Team will make an initial inspection of school buildings to identify any injured or trapped students or staff.
10. The School Administrator will contact the Local District Superintendent to determine additional actions that may be necessary. In turn, the actions will be communicated to the District's Office of Communications.
11. The School Administrator will contact the Local District Facilities Director to ensure buildings are safe for re-occupancy. When safe to do so, the Fire Suppression and HazMat Team will conduct an inspection of school buildings. The Fire Suppression and HazMat Team will maintain a log of their findings, by building, and provide a periodic report to the Incident Commander.
12. Any affected areas will not be reopened until the Local District Facilities provides clearance and the School Administrator gives authorization to do so.
13. The School Administrator will initiate an OFF-SITE EVACUATION, as described in Section 4.0, if warranted by changes in conditions at the school.

In the event an earthquake occurs during non- school hours:

1. The School Administrator and the Plant Manager will assess damages to determine any necessary corrective actions. The School Administrator may direct the Fire Suppression and HazMat Team to participate in the assessment.
2. The School Administrator should confer with the Local District Superintendent on identified damages to determine if the school should be closed.
3. If the school must be closed, the School Administrator will activate Parent Alert System and School Personnel Alert System as referenced in Section 5.0.

Fire in Surrounding Area

5.10 Fire In Surrounding Area

This procedure addresses the situation where a fire is discovered in an area adjoining the school. The initiated response actions should take into consideration the location and size of the fire, its proximity to the school and the likelihood that the fire may affect the school.

Procedure

1. The School Administrator will initiate the appropriate Immediate Response Actions, which may include SHELTER-IN-PLACE, LOCK DOWN, EVACUATE BUILDING or OFF-SITE EVACUATION as described in Section 4.0.
2. The School Administrator will notify “911” and Redlands Police Department, the school’s local law enforcement agency, at 909-798-7681 and Redlands Fire Department [909-798-7600] and will provide the location and nature of emergency.
3. The School Administrator will instruct the Security/Utilities Team to prevent students from approaching the fire and keep routes open for emergency vehicles.
4. The Agency Liaison will contact the local fire department and will work with the fire department to determine if school grounds are threatened by the fire, smoke, or other hazardous conditions.
5. If the School Administrator issues the EVACUATE BUILDING action, staff and student will evacuate the affected building(s) using prescribed routes or other safe routes to the Assembly Area.

6. In the event of an evacuation, Teachers will bring their student roster and take attendance at the Assembly Area to account for students. Teachers will notify the Assembly Area Team of missing students.
7. The School Administrator will keep a battery-powered radio tuned to a local radio station for emergency information.
8. As appropriate, the School Administrator will activate Parent Alert System.
9. The School Administrator will notify the Local District Superintendent of the emergency situation. A member of this group will call the Office of Communications with information of this situation.
10. If needed, the School Administrator will notify Bus Dispatch to request busses for staff and student evacuation.
11. The School Administrator will initiate an OFF-SITE EVACUATION, as described in Section 4.0 if warranted by changes in conditions.

Fire on School Grounds

5.11 Fire On School Grounds

This procedure addresses situations where a fire is discovered on school grounds. A quick response to this situation is very important to prevent injuries and further property damage.

Procedure

1. Upon discovery of a fire, Teachers or staff will direct all occupants out of the building, signal the fire alarm, and report the fire to the School Administrator.
2. The School Administrator will immediately initiate the EVACUATE BUILDING action as described in Section 4.0. Staff and students will evacuate buildings using the prescribed routes or other safe routes to the Assembly Area.
3. In the event of an evacuation, Teachers will bring their student roster and take attendance at the Assembly Area to account for students. Teachers will notify the Assembly Area Team of missing students.
4. The School Administrator will call "911" and Redlands Police Department, the school's local law enforcement agency, at 909-798-7681

and Redlands Fire Department [909-798-7600] and will provide the exact location (e.g., building, room, area) of the fire.

5. The Fire Suppression and HazMat Team will suppress fires and initiate rescue procedures until the local fire department arrives.
6. The Security/Utilities Team will secure the area to prevent unauthorized entry and keep access roads clear for emergency vehicles.
7. The Agency Liaison will direct the fire department to the fire and brief fire department official on the situation.
8. The Security/Utilities Team will notify the appropriate utility company of damages.
9. The School Administrator will notify the Local District Superintendent of the fire. A member of this group will call the Office of Communications with information on this situation.
10. If needed, the School Administrator will notify Bus Dispatch to request busses for staff and student evacuation.
11. Any affected areas will not be reopened until the Redlands City Fire Department or appropriate agency provides clearance and the School Administrator issues authorization to do so.
12. For fires during non-school hours, the School Administrator and the Local District Superintendent will determine if the school will open the following day.
13. All fires, regardless of their size, which are extinguished by school personnel, require a call to the Fire Department to indicate "fire is out."

Pandemic

Blood Borne Pathogen Incident Reporting Form and Exposure Control Plan

Policy 5141.22: Infectious Diseases

The Governing Board desires to protect students from risks posed by exposure to infectious diseases while providing an appropriate education for all students.

The Superintendent or designee shall determine whether to admit a student with an infectious disease, and shall exclude students only in accordance with law. In making this determination, he/she shall consult the student's parents/guardians, the student's physician and/or the county health department, in accordance with law and consistent with confidentiality provisions. Because bloodborne pathogens such as hepatitis B virus, hepatitis C virus and human immunodeficiency virus (HIV) are not casually transmitted, the sole presence of bloodborne pathogens is not sufficient reason to exclude students from attending school.

cf. 5112.2 - Exclusions from Attendance)
(cf. 5141.26 - Tuberculosis Testing)
(cf. 5141.3 - Health Examinations)
(cf. 6158 - Independent Study)
(cf. 6159 - Individualized Education Program)
(cf. 6183 - Home/Hospital Instruction)

Parents/guardians are encouraged to inform the Superintendent or designee if their child has an infectious disease so that school staff may work cooperatively with the student's parents/guardians to minimize the child's exposure to other diseases in the school setting. The Superintendent or designee shall ensure that student confidentiality rights are strictly observed in accordance with law. No district employee shall release medical information, including knowledge of a bloodborne pathogen infection, without written consent from the parent/guardian or adult student. Such information shall be shared only with those persons specifically named in the written permission.

(cf. 5125 - Student Records)
(cf. 5022 - Student and Family Privacy Rights)

The Board requires students and staff to routinely observe universal precautions to prevent exposure to bloodborne pathogens and to prevent the spread of all infectious disease.

cf. 4119.42/4219.42/4319.42 -Exposure Control Plan for Bloodborne Pathogens)
(cf. 4119.43/4219.43/4319.43 - Universal Precautions)
(cf. 5141.23 - Infectious Disease Prevention)

The Superintendent or designee shall ensure that the district's health education program provides information about the nature of bloodborne pathogens and their transmission.

(cf. 5141.6 - Student Health and Social Services)
(cf. 6142.2 - Sexual Health and HIV/AIDS Prevention Instruction)
(cf. 6142.8 - Comprehensive Health Education)

Blood Borne Pathogens - Safety Practices

Procedures and Regulations

1. General

1.1 While recognizing that both students and employees diagnosed with an infectious blood borne disease are entitled to a confidential relationship between themselves, the medical community and/or other agencies, the Board of School Trustees encourages these individuals to meet with the School Principal and/or Superintendent of Schools to discuss their disease and immediate and future needs.

1.2 Assessment

2. Students:

2.1. The Superintendent (or designate) will be informed, by the school principal as soon as is known, of any student infected with an infectious blood borne disease.

2.2. A Risk Assessment will be conducted using a team approach including the personal physician, public health personnel, the parent or guardian, and school district personnel as appropriate and will make recommendations about the type of educational and care setting based on the following:

- a. Behavior, neurological development and physical condition of the child;
- b. Type of interaction expected with others.
- c. What the potential is for exposure
- d. Areas for potential for exposure
- e. How exposure may happen
- f. Who needs to know?
- g. What will happen if there is a risk of exposure?

2.3. The team will consider the risk to others in the workplace, whether or not the individual is healthy enough to continue to attend school, and what precautions should be taken to ensure the safety and health of others.

a. The identity of infected students will remain confidential and restricted to those who need to know or are required to be informed.

2.4. Decisions on attendance at school are dependent on the circumstances of each individual case. Regular evaluation of the appropriateness of attendance will be conducted.

2.5. The Board will be notified immediately when the team considers the health condition of a student to be a danger to the immediate health and welfare of a school, its students or employees of the Board.

a. Upon being notified of the team's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

3. Employees

3.1. The Superintendent will be informed, by district staff as soon as is known, of any employee infected with an infectious blood borne disease.

3.2. Employees with an infectious blood borne disease, who are able to carry out the essential duties of their jobs in a satisfactory manner without posing a health or safety risk to themselves or others, will be entitled to continue their work.

3.3. Decisions regarding potential health or safety hazards will be made on a case-by-case basis in consultation with the employee, the personal physician and district personnel as appropriate.

3.4. The identity of infected employees will remain confidential and restricted to those who need to know or are required to be informed.

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4. Hygienic Safety Practices

4.1. All employees will follow "Universal Infection Control Precautions" by assuming that blood and other body fluids from all individuals are potentially infectious. These precautions include:

- a. Routinely using gloves when anticipating contact with blood
- b. Immediately washing hands and other skin surfaces after removal of gloves and/or contact with blood

4.2. Schools will be provided with appropriate protective equipment including disposable waterproof gloves (natural rubber latex, neoprene, nitrile, or vinyl), tongs or pliers and proper sharps containers.

4.3. Schools' medical room mattresses will be either vinyl-coated beds or cloth mattress with a protective vinyl (plastic) covering so that they can be cleaned as needed with a bleach solution.

4.4. Blankets can be cleaned as needed by forwarding them, in a clearly labeled plastic bag, to the Assistant Supervisor Operations at the Facilities Office.

5. Universal Precautions

5.1. Universal Precautions to prevent transmission of blood-borne disease will be followed. Universal Precautions is the term for infection control measures endorsed by the Canadian Centre for Occupational Health and Safety for workers who might come into contact with blood and other body fluids. In summary they include:

- a. Wash hands for 30 seconds after contact with blood and other body fluids contaminated with blood.
- b. Wear disposable latex gloves when you encounter blood, body fluids, or when cleaning cuts, scrapes or wounds. Wash your hands as soon as you remove your gloves. Dispose gloves in a plastic bag.
- c. Use disposable absorbent material like paper towels to stop bleeding.
- d. Discard bloodstained material in a sealed plastic bag and deposit in the garbage. Label as containing blood-tainted material.
- e. Cover cuts or scrapes with a bandage until healed.
- f. Immediately protect staff and students from coming in contact with blood-soiled surfaces. The area must be disinfected with a fresh solution of one part bleach and nine-parts water (10% bleach solution).

Mops or brushes used for cleaning should be soaked in a bleach solution for 20 minutes.

(Note: The custodial department will provide each school with the product for dissolving in water to provide the bleach solution.)

6. Identification of Risks of Occupational Exposure

6.1. In accordance with the Occupational Health and Safety Regulations (section 6.35), the district's Health & Safety Coordinator will develop and maintain a list of positions and/or tasks and procedures where there is a potential for occupational exposure to a blood borne pathogen.

6.2. Employees who have, or may have, occupational exposure to the hepatitis B virus, will upon request, receive a hepatitis B vaccination (section 6.39, OH&S Regs).

6.3. Employees who may have been exposed to a blood borne pathogen in an exposure incident will be advised to immediately seek medical attention

Blood Borne Pathogen Incident Reporting Form and Exposure Control Plan

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Comprehensive School Safety Plan

**2024-2025
School Year**

School: Kingsbury Elementary School in the 2024-2025 school year
CDS Code: 36-67843-6036537
District: Redlands Unified School District
Address: 600 Cajon Street
Redlands, CA 92373
Date of Adoption: October 24, 2023
Date of Update: September 25, 2024
Date of Review:
- with Staff September 30, 2024
- with Law Enforcement
- with Fire Authority

Approved by:

Name	Title	Signature	Date
Kellee Baker	Assistant Principal	<i>Kellee Baker</i>	09 / 26 / 2024
Melissa Anderson	Teacher	<i>M. Anderson</i>	09 / 26 / 2024
Samantha McCarter	Teacher	<i>Samantha McCarter</i>	09 / 26 / 2024
Rebecca Shields	Parent	<i>Rebecca Shields</i>	09 / 26 / 2024
Morgan Jean Belknap	Parent	<i>Morgan Jean Belknap</i>	09 / 26 / 2024
Kyle Belknap	Parent	<i>Kyle Belknap</i>	09 / 26 / 2024

Nicole Bell

Classified

Nicole Bell 9/26/2024

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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 Kingsbury Elementary School Office.

Safety Plan Vision

Kingsbury Elementary School will provide a safe, orderly, and secure environment conducive to learning. Kingsbury Elementary School will also: a) create a school in which pupils will attend regularly and be safe from both physical and social-psychological harm b) work collaboratively with the district office and school board to identify, establish and use strategies and programs to comply with school safety laws c) develop a plan to work cooperatively and collaboratively with parents, pupils, teachers, administrators, counselors and community agencies, including law enforcement, to provide a safe and orderly school and neighborhood d) develop an academic program that will focus on high expectations of pupil performance and behavior in all aspects of the school experience; e) work collaboratively with other elementary, middle and high schools to assist in a smooth transition from one school level to another; f) solicit the participation, views, and advice of teachers, parents, school administrators, and community members and use this information to promote the safety of our pupils, staff and community.

Components of the Comprehensive School Safety Plan (EC 32281)

Kingsbury Elementary School in the 2024-2025 school year Safety Committee

Assessment of School Safety

Kingsbury School utilizes data from its California Safe School Assessment and suspension/expulsion reports to evaluate the current status of school crime.

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

Introduction - School Profile

Kingsbury Elementary School is one of twenty-four schools in the Redlands Unified School District with traditions dating back to 1888. Kingsbury Elementary School has a diverse pupil student body and is served by a dedicated staff. Both staff and parents comment on the positive changes that are ongoing in our school.

Kingsbury Elementary School faces challenges in maintaining a safe school. This section of the Comprehensive School Safety Plan will describe programs in place at our school as well as strategies and programs of our school site council for continued improvement in providing a safe, orderly, school environment conducive to learning.

School Crime Status and Reporting

Kingsbury School utilizes data from its California Safe School Assessment and suspension/expulsion reports to evaluate the current status of school crime.

Personal Characteristics of Pupil & Staff

(Additional Health and Welfare Data available from ICOE aggregated DAT surveys)

Kingsbury Elementary School has an enrollment of approximately 480 pupils in grades Transitional K-5. Pupils from this school come from families with various family mobility. Approximately 75% of the pupils are in families receiving Aid to Families with Dependent Children that are eligible for free/reduce lunches. The ethnic makeup of the pupil population is 61 % Hispanic, 4 % Black, 26 % Caucasian and 9% Asian, Filipino or Two or More Races. Our pupils have a variety of life experiences. Some pupils have recently arrived from foreign countries while others have never left their neighborhood.

Curriculum and Educational Activities

The course of study includes the basic core curriculum, physical education and enrichment classes such as art, music, student leadership, recess partners, safety squad, kindness crew, AR assistants, friendly helpers, TK/ walkers, yearbook club, broadcast club, STEAM Team, student store assistants, choir, orchestra, and band.

Pupils have the opportunity to participate in noon and after-school activities. These include National School Lunch Program, Principal's Recess, and Extended Learning Opportunity Program/ASES.

Staff provides opportunities and additional activities open to pupils in the areas of counseling, other family nights geared around academics/student achievement, and PTA events..

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

Policy 5141.4: Child Abuse Prevention and Reporting

The Governing Board recognizes that the district has a responsibility to facilitate the prompt reporting of incidents of child abuse and neglect. The Superintendent or designee shall ensure that parents/guardians have access to procedures whereby they can report suspected child abuse at a school site to appropriate child protective agencies

The Superintendent or designee shall develop and implement regulations for use by employees in identifying and reporting child abuse

District employees shall report known or suspected incidents of child abuse in accordance with district regulations and state law. Employees shall cooperate with the child protective agencies responsible for reporting, investigating and prosecuting cases of child abuse.

(cf. 4112.9 - Signed Statements/Child Abuse Reporting Statements)

The Superintendent or designee shall provide training in child abuse identification and reporting for all certificated and classified personnel. (Penal Code 11165.7)

All employees trained in child abuse identification and reporting shall be given, as a part of that training, written notice of the child abuse reporting requirements and the employees' confidentiality rights. (Penal Code 11165.7)

In order to reduce or eliminate unfounded child abuse accusations directed at school employees, child abuse in service training shall include guidance in disciplining students and maintaining ethical relationships with them.

(cf. 3514 - Safety)

(cf. 5142 - Safety)

Duty to Report

Certificated employees and classified employees trained in child abuse identification and reporting shall report known or suspected child abuse to a child protective agency by telephone immediately or as soon as practically possible and in writing within 36 hours. The reporting duties are individual and cannot be delegated to another individual except under circumstances set forth in Penal Code 11166.

Definitions

Child Abuse includes the following:

1. A physical injury inflicted by other than accidental means on a child by another person.
2. Willful cruelty or unjustifiable punishment of a child, or willfully inflicting unjustifiable physical pain or mental suffering, or failure to safeguard a child from these injuries when the child is under a person's care or custody
3. Sexual abuse of a child
4. Neglect of a child or abuse in out-of-home care
5. Unlawful corporal punishment or injury resulting in a traumatic condition

Mandated Reporters are those people defined by law as child care custodians, health practitioners, child visitation monitors and employees of a child protective agency. Mandated reporters include virtually all school employees. The following school personnel are required to report:

Teachers, administrators, supervisors of child welfare and attendance, certificated student personnel employees, employees of care institutions, Headstart teachers, school psychologists, licensed nurses, counselors, presenters of child abuse prevention programs and those instructional aides or other classified employees trained in child abuse reporting.

Child Protective Agencies are those law enforcement and child protective services responsible for investigating child abuse reports, including the local police or sheriff department, county welfare or juvenile probation department and child protective services.

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

Reporting Procedures

To report known or suspects child abuse, any employee (as defined above) shall report by telephone to the local child protective agency immediately. (Child Protective Services 921 County Center, 3 Court, Modesto, CA phone # 525- 6641)

The following information shall be given:

1. The name of the person making the report
2. The name of the child
3. The present location of the child
4. The nature and extent of any injury

Any other information requested by the child protective agency, including the information that led the mandated reporter to suspect child abuse.

When the verbal 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.

Within 36 hours of making the telephone report, the mandated reporter shall complete and mail to the local child protective agency a written report which includes a completed Department of Justice form (DOJ SS 8572).

Mandated reports may obtain copies of the above form either from the district or local child protective agency.

Instructions are included on the form, and reporters may ask the site administrator for help in completing and mailing it; however, the mandated reporter is personally responsible for ensuring that the written report is correctly filed.

Employees reporting child abuse to a child protective agency are encouraged, but not required, to notify the site administrator or designee as soon as possible after the initial verbal report by telephone. When so notified, the site administrator shall inform the Superintendent or designee.

Administrators so notified shall provide the mandated reporter any assistance necessary to ensure that reporting procedures are carried out in accordance with law and district regulations. At the mandated reporter's request, the principal may assist in completing and filing the form.

If the mandated reporter does not disclose his/her identity to a district administrator, he/she shall at least provide or mail a copy of the written report to the site administrator and the district without his/her signature or name.

Legal Responsibility and Liability

Mandated reporters have absolute immunity. School employees required to report are not civilly or criminally liable for filing a required or authorized report of known or suspected child abuse.

A mandated reporter who fails to report an instance of child abuse, which he/she knows to exist or reasonably should know to exist, is guilty of a misdemeanor and is punishable by confinement in jail for a term not to exceed six months or by a fine of not more than \$1,000 or both. The mandated reporter may also be held civilly liable for damages for any injury to the child after a failure to report

When two or more persons who are required to report have joint knowledge of suspected instance of child abuse, and when they so agree, the telephone report may be made by either of them and a single report made and signed by that person.

However, if any person who knows or should know that the person designated failed to make the report, that person then has a duty to make the report.

The duty to report child abuse is an individual duty and no supervisor or administrator may impede or inhibit such reporting duties. Furthermore, no person making such a report shall be subject to any sanction.

Victim Interview

Upon request, a child protective agency representative may upon request interview a suspected victim of child abuse during school hours, on school premises, concerning a report of suspected child abuse that occurred within the child's home. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. (Penal Code 11174.3)

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

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

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

Peace officer and child protective services agents will be asked to sign an appropriate release or acceptance of responsibility form.

(cf. 5145.11 - Questioning and Apprehension)

When School Employees are Accused of Child Abuse

Regardless of who child abusers may be, the major responsibilities of mandated reports are to 1) identify incidents of suspected child abuse, and 2) comply with laws requiring the reporting of suspected abuse to proper authorities. Determining whether or not the suspected abuse actually occurred is not the responsibility of the school employee. Such determination and follow-up investigation will be made by a child protective agency.

Pending outcome of an investigation by a child protective agency and before formal charges are filed, the employee may be subject to reassignment or a paid leave of absence.

Upon filing formal charges or upon conviction, the district may take disciplinary action in accordance with law, district policies, regulations and/or collective bargaining agreements. The Superintendent or designee shall seek legal counsel in connection with either the suspension or dismissal of the employee.

(cf. 4117.4 - Dismissal)
(cf. 4118 - Suspension/Disciplinary Action (Certificated))
(cf. 4218 - Suspension/Disciplinary Action (Classified))

Suspected Child Abuse Reporting Procedures

I. Initiating the Report

A. The report is initiated by a telephone report to the appropriate agency.

B. If the suspected child abuse has taken place within the family, call the Enter appropriate Agency Hotline at phone number, 1 (800) 827-8724

C. If the suspected child abuse has taken place outside the family, call the local police department at:

Redlands Police

Phone: (909) 798-7681

D. Content of call.

1) Name, address and age of child involved.

2) Clear description of suspected abuse.

II. Written Report

A. The telephone call is to be followed by completion of the Suspected Child Abuse Report (form 11166.P.C.). These forms are available in the Principal's office at the high school or you may access the form on line at:

http://ag.ca.gov/childabuse/pdf/ss_8572.pdf for a form or immediately call (909) 384-9233 to file a report.

B. The written report is to be addressed to the person to whom the telephone report was made.

C. The written report must follow the phone call within 36 hours.

1. Suspected child abuse within the family,

Agency: Children and Family Services

Address: 150 S. Lena Road, San Bernardino, California 92415

2. Suspected child abuse outside the family should be mailed to the agency to which the report was called -

Adopted: 10/2005

Redlands Police

Phone: (909) 798-7681

The reporting party should keep the yellow copy of the Suspected Child Abuse Report form (SS8572) or verification of completion of the reporting obligation.

Caution:

1. The reporting responsibility has not been discharged until both the telephone call and written reports are complete.

2. School personnel are not to engage in any investigation of suspected cases. The investigation will be done by the child protective services office.

3. The reporting responsibility is an individual one which is NOT discharged by report to supervisors or administrators.

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

Disaster Plan (See Appendix C-F)

Each classroom, office, library and room on campus has a posting of the emergency procedures near the exit door. Emergency procedures are also posted in each classroom notebook which is reviewed at the beginning of the school year for updates. Fire Drills are practiced each month of the school year. Earthquake drills are practiced four times a year and Lock Down drills are practiced yearly.

The Standardized Emergency Management System (SEMS) provides the model for all levels of emergency operations—local, regional and statewide. During a disaster the SEMS serves as an "incident command system" (ICS) with a Site Command post to coordinate leaders in each of six areas—food/water distribution, utilities, first aid, search and rescue, sanitation, and student supervision—through a definite chain of command. The ICS is set up in an Emergency Operations Center, where the leaders of each unit can be present at a single site in order to quickly facilitate communication and coordinate the response. The NSLA disaster preparedness plan shall be available to staff, students and the public in the Mentone office. Mentone's principal is authorized and directed to implement plans as described herein; or take such other action as may, in their judgment, be necessary to save lives and mitigate the effects of disasters. A principal may implement one or more of these emergency actions in coping with a disaster. Maintenance personnel are assigned as liaisons between Incident Command and the school in the event phones are inoperative. The District has furnished Mentone with Site Emergency Radios in the case that standard communications are cutoff. During an emergency, children may only be released to the parent, guardian, designee of parent, or other adult legally responsible for their care. There shall be NO EXCEPTIONS to this policy. The dismissal of children from the school shall be governed by emergency procedures. However, this procedure does not preclude the exercise of professional judgment by an administrator when the circumstances of the situation indicate dismissal to be in the best interest of the child.

Public Agency Use of School Buildings for Emergency Shelters

Public agencies, such as the American Red Cross, may use school buildings, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare. The District or County office shall cooperate with the public agency in furnishing and maintaining the services as the District or County Office may deem necessary to meet the needs of the community.

(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines

Policy 5144.1: Suspension And Expulsion/Due Process

Suspension and Expulsion

The Governing Board recognizes that maintaining an environment which promotes learning and protects the health, safety, and welfare of all students may require the suspension or expulsion of a student from regular classroom instruction. District policies and school site rules shall clearly identify district behavior standards

(cf. 5144 - Discipline)

Except in cases where suspension for a first time offense is warranted in accordance with law, suspension shall be imposed only when other means of correction fail to bring about proper conduct. (Education Code 48900.5)

Expulsion is an action taken by the Board for severe or prolonged breaches of discipline by a student. Except for single acts of a grave nature, expulsion is usually used only when there is a history of misconduct, when other forms of discipline, including suspension, have failed to bring about proper conduct, or when the student's presence causes a continuing danger to other students. (Education Code 48915)

The grounds for suspension and expulsion and the procedures for considering, recommending and/or implementing suspension and expulsion shall be specified in Administrative Regulation.

Each principal shall annually inform all students and parents/guardians of the school's discipline rules and procedures and of the availability of all district policies and regulations dealing with student discipline, suspension and expulsion. (Education Code 35291, 35291.5)

(cf. 5145.6 - Parental Notifications)

Suspended or expelled students shall be excluded from all school-related extracurricular activities during the suspension or expulsion.

cf. 6145 - Extracurricular and Cocurricular Activities)

Zero Tolerance

The Board supports a zero tolerance approach to serious offenses in accordance with state and federal law. This approach makes the removal of potentially dangerous students from the classroom a top priority and ensures the standardized treatment of all students. Staff shall immediately report to the Superintendent/ designee any incidence of offenses specified in law, Board policy, and administrative regulation as cause for suspension or expulsion.

Student Due Process

The Board shall provide for the fair treatment of students facing suspension and expulsion by affording them their due process rights under the law. The administration and staff shall comply with procedures for notices and appeals as specified in regulation. Procedures governing student due process shall conform in all aspects to provisions in law. (Education Codes 48911, 48915 and 48915.5)

Whenever a student is suspended, school officials may (but are not required to) meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

cf. 5119 - Students Expelled from Other Districts

(cf. 5144.2 - Suspension and Expulsion/Due Process - Individuals with Exceptional Needs)

Rights of Complaining Witness

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

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

1. Receive five days' notice of his/her scheduled testimony at the hearing
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies
3. Have a closed hearing during the time he/she testifies

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

On-Campus Suspension Program

The Board recognizes that students who are suspended from school frequently have no supervision or guidance during the school hours when they are off campus. The Board believes that in many cases, instead of sending the student off campus, it would be better to address the student's misconduct by keeping the student at school and providing him/her with supervision that is separated from the regular classroom.

The Superintendent or designee shall examine alternatives to off-campus suspension and may establish a suspension program which involves progressive discipline during the school day on campus; using conferences between staff, parents/guardians and students; detention; student study teams or other assessment-related teams; and/or referral to school support services staff.

Required Parental Attendance

The Board believes that parental involvement plays an important role in the resolution of classroom behavior problems. The Board expects that teachers will communicate with parents/guardians when behavior problems arise

Whenever a student is suspended from a class because he/she committed an obscene act, engaged in habitual profanity or vulgarity, disrupted school activities or otherwise willfully defied valid staff authority, the teacher of the class from which the student was suspended may require the student's parent/guardian to attend a portion of a school day in that class. After completing the classroom visit and before leaving school premises, the parent/guardian also shall meet with the principal or designee. (Education Code 48900.1)

The Board encourages teachers, before requiring parental attendance, to make reasonable efforts to have the parent/guardian visit the class voluntarily. The teacher also may consider informing the parent/guardian about available resources which may provide help in the development of parenting skills. Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the student and the parent/guardian and to improve classroom behavior.

Parental attendance may be required on the day the student returns to class or within one week thereafter. The principal or designee shall contact any parents/guardians who do not respond to the request to attend school. The Board recognizes that parental compliance with this policy may be delayed, modified or prevented by serious illness/injury/disability, absence from town, or inability to get certain release time from work.

The teacher shall apply this policy uniformly to all students within the classroom. This policy shall apply only to a parent/guardian who actually lives with the student. (Education Code 48900.1)

District regulations and school-site rules for student discipline shall include procedures for implementing parental attendance requirements.

Parents/guardians shall be notified of this policy before it is implemented and at the beginning of each subsequent school year. (Education Code 48900.1, 35291, 48980)

Decision Not to Enforce Expulsion Order

In cases where expulsion is mandatory pursuant to Education Code 48915(c), the enforcement of an expulsion order shall not be suspended by the Board. In all other cases of expulsion, the order for expulsion may be suspended by the Board, on a case-by-case basis, pursuant to the requirements of law.

Definitions

Suspension from school means removal of a student from on going 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, nor referral to a certificated employee designated by the principal to advise students, nor removal from the class without reassignment to another class or program for the remainder of the period, without sending the student to the principal or designee.

2. Removal from a particular class shall not occur more than once every five school days. (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)

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

School property, for the purposes described in Education Code 48900, includes, but is not limited to, electronic files and databases. (Education Code 48900(s))

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, suspension and expulsion. Transfer students and their parents/guardians shall be notified at the time of enrollment. (Education Code 35291.5, 48900.1, 48980)

(cf. 5144 -Discipline)

(cf. 5145.6 Parental Notifications)

Notification shall include information about the ongoing availability of individual school rules and all district policies and regulations pertaining to student discipline. (Education Code 35291)

(cf. 5145.6 -Parental Notifications)

Grounds for Suspension and Expulsion

Students may be suspended or recommended for expulsion when the Superintendent, principal, or principal's designee at the school in which the student is enrolled determines that the student has done any of the acts listed below:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense. (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However, a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code Board Policy Manual Redlands Unified School District 48900(s))

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

(cf. 5 131 - Conduct)

(cf. 5131. 7 - Weapons and Dangerous Instruments)

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

(cf. 5131.6 -Alcohol and Other Drugs)

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance or material and represented same as controlled substance, alcohol beverage or intoxicant. (Education Code 48900(d))
 5. Committed or attempted to commit robbery or extortion. (Education Code 48900(e))
 6. Caused or attempted to cause damage to school property or private property. (Education Code 48900(f))
 7. Stole or attempted to steal school property or private property. (Education Code 48900(g))
 8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products with prior approval of the principal or designee. (Education Code 48900(h))
 9. Committed an obscene act or engaged in habitual profanity or vulgarity. (Education Code 48900(i))
 10. Unlawfully possessed, or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code. (Education Code 48900(j))
 11. Disrupted school activities or otherwise willfully defied 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))
 12. Knowingly received stolen school property or private property. (Education Code 48900(l))
 13. Possessed an imitation firearm, i.e., 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))
 14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code 243.4. (Education Code 48900(n))
 15. 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))
 16. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug soma. (Education Code 48900(p))
 17. Engaged in, or attempted to engage in, hazing as defined in Education Code 32050. (Education Code 48900(q))
 18. Made terrorist threats against school officials and/or school property. (Education Code 48900.7)
- A student in grades 4 through 12 is also subject to suspension or recommendation for expulsion when it is determined that he/she:
19. Committed sexual harassment as defined in Education Code 212.5. (Education Code 48900.2)
 20. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 33032.5. (Education Code 48900.3)
 21. 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 Glasswork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment (Education Code 48900.4)

(cf. 5145.3 -Nondiscrimination/Harassment)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent/principal or within any other school district, including but not limited to the following circumstances:

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.

The Superintendent/principal may use his/her discretion to provide alternatives to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program. (Education Code 48900(r))

cf. 5138 -Conflict Resolution/Peer Mediation)

Alternatives to suspension or expulsion will be used against students who are truant, tardy, or otherwise absent from assigned school activities.

(cf. 5113 -Absences and Excuses)

(cf. 5113.1 - Truancy)

Suspension from Class by a Teacher/Parental Attendance

A teacher may suspend any student from the teacher's class for any of the acts listed under "Grounds for Suspension and Expulsion" above for the day of the suspension and the day following. (Education Code 48910)

Suspension from class means the removal of a student from class by a teacher for the day of the suspension and the next day. A teacher may suspend a student from class and may also refer a student for consideration of suspension from school for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

When suspending a student from his/her class, the teacher shall immediately report this action to the principal and send the student to the principal for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been suspended.

As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the suspension. A counselor or psychologist should attend the conference if it is practicable, and a school administrator may attend if either the parent/guardian or teacher so request.

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

A student suspended from class shall not be placed in another regular class during the period of suspension. However, if a student is assigned to more than one class per day, he/she may be placed in any 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 suspended student to complete any assignments and tests missed during the suspension. (Education Code 48913)

When a teacher requires a parent/guardian to attend school in accordance with Board Policy, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is required pursuant to law. (Education Code 48900.1)

1. This notice shall also tell the parent/guardian when his/her presence is expected and by what means he/she may arrange any necessary change.
2. The notice shall describe the protections afforded to the parent/guardian as an employee by Labor Code 230.7.
3. The notice shall state that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student.

The teacher shall remind the parent/guardian to meet with the principal or designee after completing the classroom visit and before leaving school premises.

Suspension By Superintendent, Principal Or Principal's Designee

A Superintendent, principal, or principal's designee may suspend a student from a school for any of the acts listed under "Grounds for Suspension and Expulsion" above for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

The Superintendent or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife, as defined in Education Code 48915(g), at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item 414 under "Grounds for Suspension and Expulsion" above.
5. Possession of an explosive as defined in 18 USC 921.

Suspension may be imposed upon a first offense if the Superintendent, principal or designee determines the student violated items (i) - (v) listed in "Grounds For Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903 and 48912)

Suspension Procedures

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the principal or designee or the Superintendent or designee between 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 and the evidence against him/her and shall be given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911(b))

This conference may be omitted if the principal, designee or the Superintendent or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or school personnel. If the pre-suspension conference is not held, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference will be held as soon as the student is physically able to return to school. (Education Code 48911(c))

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior

A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee, who in turn will inform the Board.

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 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 also state the date and time when the student may return to school.

Should school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may also add that state law requires the parent/guardian to respond to such request without delay.

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

While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such conference. The student may not be denied readmission solely because the parent/guardian failed to attend. (Education Code 48911)

5. Extension of Suspension: If the expulsion of a suspended student is being considered by the Board, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision. (Education Code 48911(g))

Any extension of the original period of suspension shall be 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. Extension of the suspension may be made only if 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(g))

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal or Principal's 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 if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. 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 may hold closed sessions if a public hearing would lead to disclosure of information which would violate a student's right to privacy under Education Code 49073-49079.

(cf. 9321 -Closed Session Purposes and Agendas)

The Board shall provide the student with written notice of the closed session by registered or certified mail. Upon receiving this notice the student 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 shall be in closed session. (Education Codes 48912)

Authority to Expel

A student may be expelled only by the Board. The Board shall expel, as required by law, any student found to have committed certain offenses listed below under "Mandatory Recommendation and Mandatory Expulsion."

The Board may also order a student expelled for any of the acts listed above under "Grounds for Suspension and Expulsion" upon recommendation by the principal, Superintendent, hearing officer or administrative panel, based on finding either or both of the following: (Education Code 48915(b) and (e))

1. That other means of correction are not feasible
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

Mandatory Recommendation For Expulsion

The principal, Superintendent or designee shall recommend a student's expulsion for any of the following acts, unless the principal or Superintendent or designee finds, and reports in writing to the Board, that expulsion is inappropriate due to particular circumstances which shall be set out in the report of the incident:

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife as defined in Education Code 48915(g), explosive 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 the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee.

Mandatory Recommendation And Mandatory Expulsion

The principal, Superintendent or designee shall recommend that the Board expel any student found at school or at a school activity off school grounds to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48915(c).1)
2. Brandishing a knife as defined in Education Code 48915(g) at another person. (Education Code 48915(c).2)
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058. (Education Code 48915(c).3)
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above. (Education Code 48915(c).4)
5. Possessing an explosive as defined in 18 USC 921.

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

Student's Right to Expulsion Hearing

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred. (Education Code 48918(a))

The student is entitled to 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 district's discretion. (Education Code 48918(a))

If the district finds it impracticable 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))

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

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 48915.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Education Code 48915.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing.
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies.
3. Have a closed hearing during the time he/she testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48915.5)

Written Notice of the Expulsion Hearing

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least ten 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. A parent/guardian of a student expelled for acts described in paragraphs through

4 of Education Code 48915(a), seeks enrollment in another district they must inform the new district of the student's status with the expelling district, pursuant to Education Code 48915.1.

(cf. 5119 -Students Expelled from Other Districts)

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

Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and Education Code 35145, the Board shall conduct the hearing or arrange for an alternative 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 request is made, the meeting shall be public

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to deliberate and determine if the student should be expelled. If the Board admits any other person to the closed session, the parent/guardian, the student, counsel of the student and counsel of the parent/guardian shall also be allowed to attend the closed session. (Education Code 48918(c))

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

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

3. Presentation of Evidence: While technical rules of evidence do not apply to such hearings, 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 must be supported by substantial evidence that the student committed any of the above acts listed under "Grounds for Suspension and Expulsion" above. Findings of fact shall be based solely on the evidence at the hearing.

While no evidence 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) and

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 Witness: The following procedures shall be observed when hearings involve allegations of sexual assault or sexual battery by a student: (Education Code 48918)

- a. Any complaining witness shall be given five days' notice before being called to testify.
- b. Any complaining witness shall be entitled to have up to two adult support persons, including but not limited to a parent/guardian or legal counsel, present during his/her testimony.
- c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- e. If one or both support persons are also witnesses, the hearing shall be conducted according to Penal Code 868.5.
- f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard.

Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.

g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.

(1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.

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

(3) The person conducting the hearing may:

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

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

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

6. Decision Within Ten Days: The Board's decision on whether to expel a student shall be made within ten school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

7. Decision Within 40 Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative 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. Alternatively, the Board may 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(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified in "Conduct of Expulsion Hearing" above.

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 student shall be immediately reinstated. (See "Reinstatement" below.) The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers and with the student's parent/guardian. (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))

The hearing officer or administrative panel may recommend that the Board suspend the expulsion for a period of one year. (See "Suspension of Expulsion" below.)

The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Stipulated Expulsions

It is the policy of the Redlands Unified School District that, where approved by the Superintendent or designee, parents/guardians may agree to the expulsion of their pupil by stipulation without necessity of a hearing. This process will expedite the pupil's school placement and may expedite the rehabilitation process.

A stipulated expulsion must be purely voluntary. No district administrator or staff member may coerce a pupil, parent or guardian into entering into such a stipulation. Parents/guardians will be given three calendar days to decide on a stipulated expulsion agreement.

If the parent/guardian requests a stipulated expulsion, the Superintendent or designee will promulgate the stipulated agreement. If at any time the parent/guardian decides not to pursue a stipulated agreement, the expulsion proceedings and timelines, extended by the length of the period for consideration of the stipulation, will be reinstated. The stipulated agreement will be presented to the Board for final consideration.

The stipulated agreement will include the terms and conditions of the expulsion order, including alternative placement and a rehabilitation plan to be completed before the student can be re-admitted to the district.

Final Action by the Board

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel, the final action to expel must be taken by the Board at a public meeting. (Education Code 489180)) The Board shall maintain a record of each expulsion, including its cause. Expulsion records shall be non- privileged, disclosable public records.

(cf. 9321.1 - Closed Session Actions and Reports)

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

Upon ordering the 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 an act listed under "Mandatory Recommendation and Mandatory Expulsion" above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. (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 of the student at the time of review for readmission.
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service and other rehabilitative programs.
3. Such other recommendations as the Board approves.

With parental 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)

Upon expulsion, a copy of readmission procedures will be made available to the student and his/her parent/guardian.

Written Notice to Expel

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

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed in Education Code 48900(a)-(o), Education Code 48900.2-48900.4 and Education Code 48915(c). (Education Code 48900.8)

2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian. (Education Code 48916)

3. Notice of the right to appeal such expulsion to the County Board of Education. (Education Code 48918)

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

5. The notice also shall inform the student or parent/guardian of his/her 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)

Suspension of Expulsion

The Board, upon voting to expel a student, may suspend the enforcement of the expulsion order for not more than one calendar year. When deciding whether to suspend an expulsion, the Board shall take into account the following criteria:

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

The suspension of the enforcement of an expulsion shall be governed by the following: (Education Code 48917)

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.
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status.
3. The suspension of expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion" above or violates any of the district's rules and regulations governing student conduct.
4. When suspension of expulsion order is revoked, a student may be expelled under the terms of the original expulsion order
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expungement of any or all records of the expulsion proceedings.
6. Suspension 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 of Education.
7. 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 also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education. (Education Code 48918(i))

Right to Appeal

The student or parent/guardian is entitled to file an appeal of the Board's decision to the County Board of Education.

The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion action is suspended and the student is placed on probation. (Education Code 48919)

Post-Expulsion Placements

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

(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for acts described in items #6 through # 13 and # 17 through # 19 under "Grounds for Suspension and Expulsion" above may be instead referred to a program of study that is provided at another comprehensive middle, junior, or senior high school, or at an elementary school.

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)

Reinstatement

When the Board accepts a recommendation against expulsion or makes its own decision after the hearing not to expel, the decision is final and the student shall be reinstated immediately. The Superintendent or designee shall place the student in any classroom program, other instructional program, rehabilitation program, or any combination of such programs following consultation with district personnel, including the teacher involved, and with the student's parent/guardian. (Education Code 48918(e))

Readmission

An expulsion order shall remain in effect until the Board may order the readmission of the student.

Readmission procedures shall be as follows:

1. A written request for review of expulsion action and request for readmission shall be submitted by the parent/guardian to the Superintendent or designee.
2. The Superintendent or designee will hold a conference with the parent/guardian and the student.
3. At the conference the conditions for readmission will be reviewed. The Superintendent or designee shall verify that the rehabilitation plan has been met.
4. School regulations will be reviewed and the student and parent/guardian will be asked to indicate in writing their willingness to comply with these regulations.
5. The Superintendent or designee will transmit the request for readmission to the Board, along with his/her recommendation. The Board shall consider the request in closed session if the information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it will be honored.
6. The Superintendent or designee will notify the student or parent/guardian, by registered mail, of the district's decision regarding readmission.
7. 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)
8. 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. (Education Code 48916)

9. 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)

Maintenance of Records

The Board will maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls, within five days of a written request by the admitting school. (Education Code 48900.8, 48918(k))

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

cf. 5119 - Students Expelled from Other Districts)

(cf. 5125 - Student Records)

Notifications and Reports

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

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 also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

Outcome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion.
2. The specific grounds for each recommended expulsion.
3. Whether the student was subsequently expelled.
4. Whether the expulsion order was suspended.
5. The type of referral made after the expulsion.
6. The disposition of the student after the end of the expulsion period.

Suspension and Expulsion/Due Process

Redlands Unified
Administrative Regulation
AR 51441
Adopted June 27, 1995
Students

Definitions

Suspension from school 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. Removal from a particular class shall not occur more than once every five school days.

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

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian or legal counsel. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

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, suspension and expulsion. Transfer students and their parents/guardians shall be notified at the time of enrollment. (Education Code 35291.5, 48900.1, 48980)
(cf. 5144 - Discipline)

Notification shall include information about the ongoing availability of individual school rules and all district policies and regulations pertaining to student discipline. (Education Code 35291)
(cf. 5145.6 - Parental Notifications)

Grounds for Suspension and Expulsion

A student may be subject to suspension or expulsion when it is determined that he/she:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense. (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aide or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code 48900(s))

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

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

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid, substance or material and represented same as controlled substance, alcohol beverage or intoxicant. (Education Code 48900(d))
5. Committed or attempted to commit robbery or extortion. (Education Code 48900(e))
6. Caused or attempted to cause damage to school property or private property. (Education Code 48900(f))
7. Stole or attempted to steal school property or private property. (Education Code 48900(g))
8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products (Education Code 48900(h))
9. Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))
10. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5. (Education Code 48900(j))
11. Disrupted school activities or otherwise willfully defied 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))
12. Knowingly received stolen school property or private property. (Education Code 48900(l))
13. Possessed an imitation firearm, i.e., 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))
14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code 243.4. (Education Code 48900(n))
15. 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))
16. Made terrorist threats against school officials and/or school property. (Education Code 48900.7)
Pursuant to Education Code 48900.7, the making of a terrorist threat includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person or property damage in excess of \$1,000.00, 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.
A student in grades 4 through 12 is also subject to suspension or recommendation for expulsion when it is determined that he/she:
17. Committed sexual harassment as defined in Education Code 212.5. (Education Code 48900.2)
Pursuant to Education Code 48900.2 the conduct constitutes harassment when considered from the perspective of a reasonable person of the same gender as the victim to be 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.
(cf. 5145.7 - Sexual Harassment)
18. 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)
(cf. 5145.9 - Hate-Motivated Behavior)
Education Code 233 defines "hate violence" as any act punishable under Penal Code 422.6, 442.7 or 422.75. Such acts include injuring or intimidating another person, interfering with the exercise of a person's civil rights, or damaging a person's property because of the person's race, color, religion, ancestry, national origin, disability, gender or sexual orientation.

19. Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading student rights by creating an intimidating or hostile educational environment. (Education Code 48900.4)
(cf. 5145.3 - Nondiscrimination/Harassment)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent or principal or within any other school district, including but not limited to the following circumstances: (Education Code 48900)

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.

The Superintendent or principal may use his/her discretion to provide alternative to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program.
(Education Code 48900(r))

Alternatives to suspension or expulsion will be used with students who are truant, tardy, or otherwise absent from assigned school activities.

(cf. 5113 - Absences and Excuses)
(cf. 5113.1 - Truancy)

Removal from Class by a Teacher/Parental Attendance

A teacher may suspend any student from his/her class for the remainder of the day and the following day for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

A teacher also may refer a student to the principal or designee for consideration of suspension from school. (Education Code 48910)

When removing a student from his/her class, the teacher shall immediately report this action to the principal and send the student to the principal for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been removed.

As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the removal. A counselor or psychologist should attend the conference if it is practicable, and a school administrator may attend if either the parent/guardian or teacher so requests.

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

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

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

Pursuant to Board policy, a teacher may provide that the parent/guardian of a student whom the teacher has removed attend a portion of a school day in his/her child's classroom. When a teacher makes this request, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is requested pursuant to law. (Education Code 48900.1)

This notice shall also:

1. Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternate date.
2. Describe the legal protections afforded to the parent/guardian as an employee under Labor Code 230.7.
3. State that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student.

4. Ask the parent/guardian to meet with the principal after the visit and before leaving school, as required by Education Code 48900.1.

Suspension by Superintendent, Principal or Principal's Designee

The Superintendent, principal or principal's designee may suspend a student from a school for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

The Superintendent or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife, as defined in Education Code 48915(g), at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion".
5. Possession of an explosive as defined in 18 USC 921.

Suspension also may be imposed upon a first offense if the Superintendent, principal or designee determines the student violated items #1-5 listed in "Grounds for Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903, 48912)

The Superintendent or designee may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which a student may be suspended in any school year. (Education Code 48903)

Suspensions shall be initiated according to the following procedures:

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the principal, designee or the Superintendent 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 and the evidence against him/her; the student shall be given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911(b))

This conference may be omitted if the principal, designee or the Superintendent determines that an emergency situation exists. An "emergency situation" involves 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 a conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference will be held as soon as the student is physically able to return to school. (Education Code 48911(c))

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee.

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 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 also state the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may add that state law requires the parent/guardian to respond to such requests without delay.

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

While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such conference. The student may not be denied readmission solely because the parent/guardian failed to attend. (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. (Education Code 48911(g))

Any extension of the original period of suspension shall be 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. Extension of the suspension may be made only if 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)

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal or Principal's 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 if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. 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 closed sessions if a public hearing would lead to disclosure of information violating a student's right privacy under Education Code 49073-49079.

(cf. 9321 - Closed Session Purposes and Agendas)

The Board shall provide the student and his/her parent/guardian with written notice of the closed session by or certified mail. 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 Codes 35146, 48912)

On-Campus Suspension Program

Students for whom an expulsion action has not been initiated and who pose no imminent danger or threat to the school may be assigned to a separate, supervised suspension classroom for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

1. The supervised suspension classroom shall be staffed in accordance with law.
2. The student shall have access to appropriate counseling services.
3. The supervised suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.
4. Each student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom. The teacher 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 a supervised 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 shall be made in writing. (Education Code 48911.1)

Authority to Expel

A student may be expelled only by the Board. The Board shall expel, as required by law, any student found to have committed certain offenses listed below under “Mandatory Recommendation and Mandatory Expulsion.”

The Board also may order a student expelled for any of the acts listed under “Grounds for Suspension and Expulsion” upon recommendation by the principal, Superintendent, hearing officer or administrative panel, based on finding 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.

Mandatory Recommendation for Expulsion

Unless the principal, Superintendent or designee finds that expulsion is inappropriate due to particular circumstances, the principal, Superintendent or designee shall recommend a student’s expulsion for any of the following acts: (Education Code 48915 (a))

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife as defined in Education Code 48915(g), explosive or other dangerous object of no reasonable use to the student.
3. Unlawful possession of any controlled substance, as listed in the Health and Safety Code 11053-11058, except for the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee.

Mandatory Recommendation and Mandatory Expulsion

Note: The Attorney General has determined, in 80 Ops.Cal. Atty. Gen. 347 (1997), that a district may not adopt a zero tolerance policy mandating expulsion of a student for a first offense of possession of a controlled substance or alcohol.

The principal, Superintendent or designee shall recommend that the Board expel any student found at school or at a school activity to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife as defined in Education Code 48915(g) at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under “Grounds for Suspension and Expulsion” above.
5. Possessing an explosive as defined in 18 USC 921.

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

The initial recommendation for consideration of expulsion is that of the school principal or the Superintendent. Designees may not make this type of recommendation.

The recommendation for consideration of expulsion shall be submitted to the Director, Office of Student Services, who will review the material and recommend:

1. Reassignment to appropriate regular education program.
2. Refer student to Alternative Program; i.e., Community School, Independent Study, Continuation or Opportunity School, or other district programs.
3. Refer the matter to the Discipline Review Panel for further consideration.

When a case is referred to the discipline Review Panel, the panel shall question school personnel who have information on the incident and the behavior record of the student charged and weighs the evidence presented.

The panel shall, in the case of an expulsion consideration, weigh information presented to determine:

- a. Is the evidence sufficient to support consideration by the expulsion panel?

- b. Has the district, through the schools involved, considered or utilized alternatives to expulsion when possible?
- c. Have due process procedures been adhered to?

The recommendation shall be either to proceed with the expulsion or to utilize an existing practical alternative in lieu of expulsion.

If the district (school) has not adhered to due process requirements, the student shall be returned to school immediately.

If the Discipline Review Panel meets to consider a matter other than an expulsion, it shall provide its best judgment as to an effective alternative program or plan to action.

The recommendation of the Discipline Review Panel shall be forwarded to the Director, Office of Student Services, who shall then review the facts, concur, veto or modify the recommendation.

4. That an expulsion panel be convened.

At the time a recommendation for expulsion is submitted, a hearing shall be scheduled by the Superintendent or designee to determine whether the suspension shall be extended. If the decision is to extend the suspension, the period of time shall be until the Board has rendered a decision or until the expulsion process is otherwise terminated.

The extension of suspension shall be based upon determination by the Superintendent or designee that the presence of the student at the school or in an alternative school placement would cause a danger to persons or property or a threat of disrupting the instructional process. This extension shall be imposed only after the student and the parent/guardian have been given the opportunity to be present at a hearing conducted by the Superintendent or designee. At this time, the student and parent/guardian shall be given the opportunity to be heard and present any information that might bear upon the decision.

Materials which support the decision of the person recommending the expulsion shall be prepared and submitted to the Office of Student Services. The departments of Attendance, Guidance, Special Education and/or Health may be requested to assist in the preparation of this material.

Student's Right to Expulsion Hearing

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred. (Education Code 48918 (a))

The student is entitled to 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 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 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 no 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))

Waiver of Hearing (Default Proceedings)

If the parent/guardian agrees that their son/daughter behaved essentially in the manner stated in the principals letter recommending expulsion and that such behavior constitutes a violation of the California Education Code, Section 48900, 48900.2, 48900.3, 48900.4, 48900.7 and/or 48915 a suspendable/expellable offense, the parent/guardian may request to waive the Administrative Hearing Panel.

When the parent/guardian agrees to waive the Administrative Hearing Panel, they also waive all notification and timelines related to the expulsion hearing process, along with their rights to appeal the determination of the Board.

The signed affidavit and findings of fact will be submitted to the Board for their approval. The Board has the discretionary power to accept, reject, or modify all recommendations.

Rights of Complaining Witness

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

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

1. Receive five days' notice of his/her scheduled testimony at the hearing.
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies.
3. Have a closed hearing during the time he/she testifies.

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

Written Notice of the Expulsion Hearing (Education Code 48918(b))

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

1. The date and place of the hearing.
2. A statement of the specific facts, charges and offense upon which the proposed expulsion is based.
3. A copy of district disciplinary rules which relate to the alleged violation.
4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment. This obligation applies when a student is expelled for acts other than those described in Education Code 48915 (a) or (c).
(cf. 5119 - Students Expelled from other Districts)

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

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

Non-attorney advisor 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.

Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and 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 request is made, the meeting shall be public, unless another student's privacy rights would be violated.

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to determine if the student should be expelled. If the Board admits any other person to the closed session, the parent/guardian, the student, and the counsel of the student, shall also be allowed to attend the closed session. (Education Code 48918(c))

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

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

3. Subpoenas: Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with the Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20, formerly 11525. (Education Code 48918(i))

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

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

4. Presentation of Evidence: While technical rules of evidence do not apply to expulsion hearings, 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 must be supported by substantial evidence that the student committed any of the acts listed in "Grounds for Suspension and Expulsion" above.

Findings of fact shall be based solely on the evidence at the hearing. While no evidence 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) and (h))

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

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

- a. Any complaining witness shall be given five days' notice before being called to testify.
- b. Any complaining witness shall be entitled to have up to two adult support persons, including but not limited to a parent/guardian or legal counsel, present during his/her testimony.
- c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- e. If one or both support persons are also witnesses, the hearing shall be conducted according to Penal Code 868.5.

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

g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.

(1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.

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

(3) The person conducting the hearing may:

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

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

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

6. Decision Within 10 Days: The Board's decision on whether to expel a student shall be made within 10 school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

7. Decision Within 40 Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

Instead of conducting an expulsion hearing itself, the Board may contract with the county hearing officer or with the Office of Administrative Hearings of the State of California for a hearing officer. Alternatively, the Board may 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(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified in "Conduct of Expulsion Hearing."

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 student shall be immediately reinstated. (See "Reinstatement.") The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers, and with the student's parent/guardian. (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 for a period of one year. (See "Decision Not to Enforce Expulsion Order" below.)

The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

The Discipline Review Panel

The Discipline Review Panel will consist of elementary educators when a review is being made of an elementary student and of secondary educators when a review is being made of secondary student.

1. The Discipline Review Panel shall hear the following types of disciplinary cases:

a. Requests for expulsion from site principals or the Superintendent.

b. School site administrative requests for assistance (non-expulsion situations).

2. Each discipline review panel shall consist of three certificated persons plus a chairperson and shall consist of elementary educators when a review is being made of an elementary student and of secondary educators when a review is being made of a secondary student. A panelist may not serve on any panel involving a student who is currently attending the school in which he/she is assigned. A representative from Student Services shall be a nonvoting member of each panel.

A chairperson and assistant chairperson, to serve when the chairperson is unable to serve, shall be appointed by the Superintendent or designee and shall serve at his/her pleasure. Neither shall be a member of the Student Services staff.

A pool of panelists shall be established which shall be composed of personnel who have served or are currently serving as members of administrative expulsion panels. The committee chairman shall select members to serve on individual panels.

The meetings of the discipline review panel are open to school district personnel only.

The duties of the Discipline Review Panel are as follows:

1. The chairperson shall call a meeting of the panel as soon as possible, but no later than 10 school days after the receipt of notice of a pending case.
2. A recommendation must be forwarded to the Director, Office of Student Services, within three days of the review hearing.
3. In the event a member of the committee cannot be present at a meeting, the Director, Office of Student Services, will appoint an alternate from the pool to attend.

Final Action by the Board

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

(cf. 9321.1 - Closed Session Actions and Reports)

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

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 an act listed under "Mandatory Recommendation and Mandatory Expulsion" above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. (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 of the student at the time of review for readmission.
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service and other rehabilitative programs.

With parental 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 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 in Education Code 48900 (a)-(o), Education Code 48900.2-48900.4, Education Code 48915 (c) and (Education Code 48900.8).
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian. (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Governing Board. (Education Code 48918)
4. Notice of the alternative educational placements 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 Not to Enforce Expulsion Order

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

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

The suspension of the enforcement of an expulsion shall be governed by the following: (Education Code 48917)

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.
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status.
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" above or violates any of the district's rules and regulations governing student conduct.
4. When the suspension of the enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order.
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings.
6. 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 County Board of Education.
7. 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 also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education. (Education Code 48918 (j))

Right to Appeal

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

Post-Expulsion Placements

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

(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for acts described in items #6 through #13 and #17 through #19 under "Grounds for Suspension and Expulsion" may be instead 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

Readmission procedures shall be as follows:

1. On the date set by the Board when it ordered the expulsion, the district shall consider readmission of the student. (Education Code 48916)

2. 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.
3. The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session if information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it shall be honored.
4. 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.
5. 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)
6. 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. (Education Code 48916)
7. 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)

Maintenance of Records

The Board shall maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls, within five days of a written request by the admitting school. (Education Code 48900.8, 48918(k))

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

(cf. 5119 - Students Expelled from Other Districts)

(cf. 5125 - Student Records)

Notifications 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 also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

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

Ouome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion.
2. The grounds for each recommended expulsion.
3. Whether the student was subsequently expelled.
4. Whether the expulsion order was suspended.
5. The type of referral made after the expulsion.
6. The disposition of the student after the end of the expulsion period.

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

Whenever a student is identified as violent or dangerous per E.C. 49079 the teacher will be informed by the principal. The teacher shall keep this information in confidence and must not further disseminate it. However, if the teacher believes that the student is improperly placed (or is an immediate danger) these opinions (and related observations) should be shared with the principal immediately. The District office also has a responsibility to insure that all appropriate actions are taken to identify, notify and support necessary interventions with regard to violent or dangerous pupils. Student Services Department notifies Principals at the beginning of each school year of students who were suspended in the prior year. Principals, in turn, notify the current teacher.

(E) Sexual Harassment Policies (EC 212.6 [b])

Policy 4119.11: Sex Discrimination and Sex-Based Harassment

The Governing Board is committed to providing a safe work environment that is free of harassment and intimidation. The Board prohibits sexual harassment against district employees by anyone, in any manner, and prohibits retaliatory action or behavior against any persons who complains, testifies, or otherwise participates in the complaint process established pursuant to this policy and accompanying administrative regulation. This policy shall apply to all district employees, interns, volunteers, contractors, job applicants, and other persons with an employment relationship with the district.

(cf. 0410 - Nondiscrimination in District Programs and Activities) (cf. 4030 - Nondiscrimination in Employment)

Sexual harassment includes, but is not limited to, harassment that is based on the sex, gender, gender identity, gender expression, or sexual orientation of the victim and harassment based on pregnancy, childbirth, or related medical conditions.

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation, and correction of sexual harassment, including but not limited to:

1. Providing training to all staff in accordance with law and administrative regulation.
2. Publicizing and disseminating the district's sexual harassment policy to staff.
3. Ensuring prompt, thorough, equitable, and fair investigation of complaints
4. Taking timely and appropriate corrective/remedial actions which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments.

The Superintendent or designee shall periodically evaluate the effectiveness of the district's strategies to prevent and address harassment. Such evaluation may involve conducting regular anonymous employee surveys to assess whether harassment is occurring or is perceived to be tolerated, partnering with researchers or other agencies with the needed expertise to evaluate the district's prevention strategies, and using any other effective tool for receiving feedback on systems and/or processes. As necessary, changes shall be made to the harassment policy, complaint procedures, or training.

Sexual Harassment Reports and Complaints

Any district employee who feels that he/she has been sexually harassed in the performance of their district responsibilities or who has knowledge of any incident of sexual harassment by or against another employee shall immediately report the incident to his/her supervisor, the principal, other district administrator, or the district's Title IX Coordinator. However, an employee may bypass his/her supervisor in filing a complaint if the supervisor is the subject of the complaint. A supervisor, principal, or district administrator who receives a harassment complaint shall promptly notify the Title IX Coordinator.

Once notified, the Title IX Coordinator shall ensure the complaint or allegation is addressed through AR 4119.12/4219.12/4319.12 – Title IX Sexual Harassment Complaint Procedures or AR 4030- Nondiscrimination in Employment, as applicable. Because a complaint or allegation that is dismissed or denied under the Title IX complaint procedure may still be subject to consideration under state law, the Title IX Coordinator shall ensure that any implementation of AR 4119.12/4219.12/4319.12 concurrently meets the requirements of AR 4030.

Notwithstanding the above, BP/AR 4119.12/4219.12/4319.12 and 4030 shall under no circumstances be used to resolve complaints brought by, on behalf of, or against students. All complaints brought by, on behalf of, or against students that allege “sexual harassment” as that term is defined in the federal regulations implementing Title IX of the Education Amendments of 1972 (see 34 C.F.R. § 106, et seq.) shall be investigated and resolved under BP/AR 5145.71. All complaints brought by, on behalf of, or against students that do not meet the definition of “sexual harassment” as set forth in the Title IX implementing regulations shall be investigated and resolved under BP/AR 1312.3.

(cf. 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaints)

The Title IX Coordinator shall offer supportive measures to the complainant and respondent, as deemed appropriate under the circumstances.

Upon investigation of a sexual harassment complaint, any district employee who engages, or participates in sexual harassment, or who aids, abets, incites, compels, or coerces another to commit sexual harassment in violation of this policy is subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Reports) (cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4218 -

Dismissal/Suspension/Disciplinary Action)

Regulation 4119.12: Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures

The complaint procedures described in this administrative regulation shall be used to address any complaint governed by Title IX of the Education Amendments of 1972 alleging that a district employee, while in an education program or activity in which a district school exercises substantial control over the context and respondent, was subjected to one or more of the following forms of sexual harassment: (34 CFR 106.30, 106.44)

1. A district employee conditioning the provision of a district aid, benefit, or service on a person's participation in unwelcome sexual conduct
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291 (cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

All other sexual harassment complaints or allegations shall be investigated and resolved in accordance with AR 4030

- Nondiscrimination in Employment. The determination of whether the allegations meet the definition of sexual harassment under Title IX shall be made by the district's Title IX Coordinator.

(cf. 4030 - Nondiscrimination in Employment)

Because the complainant has a right to pursue a complaint under AR 4030 for any allegation that is dismissed or denied under the Title IX complaint procedure, the Title IX Coordinator shall ensure that all requirements and timelines for AR 4030 are concurrently met while implementing the Title IX procedure.

Reporting Allegations/Filing a Formal Complaint

An employee who is the alleged victim of sexual harassment may submit a report of sexual harassment to the district's Title IX Coordinator using the contact information listed in AR 4119.11/4219.11/4319.11 - Sexual Harassment or to the employee's direct supervisor or other district administrator, who shall forward the report to the Title IX Coordinator within one day of receiving the report. Upon receiving such a report, the Title IX Coordinator shall inform the complainant of the right to file a formal complaint and the process for filing a formal complaint.

A formal complaint, with the complainant's physical or digital signature, may be filed with the Title IX Coordinator in person, by mail, by email, or by any other method authorized by the district. (34 CFR 106.30)

Even if the alleged victim chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations when a safety threat exists. In addition, the Title IX Coordinator may file a formal complaint in other situations as permitted under the Title IX regulations, including as part of the district's obligation to not be deliberately indifferent to known allegations of sexual harassment. In such cases, the Title IX Coordinator shall provide the alleged victim notices as required by the Title IX regulations at specific points in the complaint process.

The Title IX Coordinator, investigator, decision-maker, or a facilitator of an informal resolution process shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. Such persons shall receive training in accordance with 34 CFR 106.45. (34 CFR 106.45)

Supportive Measures

Upon receipt of a report of Title IX sexual harassment, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures and shall consider the complainant's wishes with respect to the supportive measures implemented. Supportive measures shall be offered as appropriate, as reasonably available, and without charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures shall be nondisciplinary, nonpunitive, and not unreasonably burden the other party, including measures designed to protect the safety of all parties or the district's educational environment or to deter sexual harassment. Supportive measures may include, but are not limited to, counseling, extensions of deadlines, modifications of work schedules, mutual restrictions on contact, changes in work locations, leaves of absence, increased security, and monitoring of certain areas of the campus. (34 CFR 106.30, 106.44)

The district shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the district's ability to provide the supportive measures. (34 CFR 106.30)

Emergency Removal

If a district employee is the respondent, the employee may be placed on administrative leave during the pendency of the formal complaint process. (34 CFR 106.44)

If the respondent is a student, the district may, on an emergency basis, remove the student from the district's education program or activity, provided that the district conducts an individualized safety and risk analysis, determines that removal is justified due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations, and provides the student with notice and an opportunity to challenge the decision immediately following the removal. This authority to remove a student does not modify a student's rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973. (34 CFR 106.44)

Dismissal of Complaint

The Title IX Coordinator shall dismiss a formal complaint if the alleged conduct would not constitute sexual harassment as defined in

34 CFR 106.30 even if proved. The Title IX Coordinator shall also dismiss any complaint in which the alleged conduct did not occur in the district's education program or activity or did not occur against a person in the United States, and may dismiss a formal complaint if the complainant notifies the district in writing that the complainant would like to withdraw the complaint or any allegations in the complaint, the respondent is no longer employed by the district, or sufficient circumstances prevent the district from gathering evidence sufficient to reach a determination with regard to the complaint. (34 CFR 106.45)

Upon dismissal, the Title IX Coordinator shall promptly send written notice of the dismissal and the reasons for the dismissal simultaneously to the parties and shall inform them of their right to appeal the dismissal of a formal complaint or any allegation in the complaint in accordance with the appeal procedures described in the section "Appeals" below. (34 CFR 106.45)

If a complaint is dismissed, the conduct may still be addressed pursuant to AR 4030 - Nondiscrimination in Employment as applicable.

Informal Resolution Process

When a formal complaint of sexual harassment is filed, the district may offer an informal resolution process, such as mediation, at any time prior to reaching a determination regarding responsibility. The district shall not require a party to participate in the informal resolution process or to waive the right to an investigation and adjudication of a formal complaint. (34 CFR 106.45)

The district may facilitate an informal resolution process provided that the district: (34 CFR 106.45)

1. Provides the parties with written notice disclosing the allegations, the requirements of the informal resolution process, the right to withdraw from the informal process and resume the formal complaint process, and any consequences resulting from participating in the informal resolution process, including that records will be maintained or could be shared.
2. Obtains the parties' voluntary, written consent to the informal resolution process

Written Notice

If a formal complaint is filed, the Title IX Coordinator shall provide the known parties with written notice of the following: (34 CFR 106.45)

1. The district's complaint process, including any informal resolution process
2. The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known. Such notice shall be provided with sufficient time for the parties to prepare a response before any initial interview. If, during the course of the investigation, new Title IX allegations arise about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.
3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process
4. The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an attorney, and the ability to inspect and review evidence
5. The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process

The above notice shall also include the name of the investigator, facilitator of an informal process, and decision-maker and shall inform the parties that, if at any time a party has concerns regarding conflict of interest or bias regarding any of these persons, the party should immediately notify the Title IX Coordinator.

Investigation Procedures

During the investigation process, the district's designated investigator shall: (34 CFR 106.45)

1. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and

exculpatory evidence

2. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence
3. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney
4. Not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding, although the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as the restrictions apply equally to both parties
5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate
6. Send in an electronic format or hard copy to both parties and their advisors, if any, the evidence obtained as part of the investigation that is directly related to the allegations raised in the complaint, and provide the parties at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report
7. Objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and determine credibility in a manner that is not based on a person's status as a complainant, respondent, or witness
8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review and written response

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. (34 CFR 106.45)

Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.

If the complaint is against an employee, rights conferred under an applicable collective bargaining agreement shall be applied to the extent they do not conflict with the Title IX requirements.

Written Decision

The Superintendent shall designate an employee as the decision-maker to determine responsibility for the alleged conduct, who shall not be the Title IX Coordinator or a person involved in the investigation of the matter. (34 CFR 106.45)

After the investigative report has been sent to the parties but before reaching a determination regarding responsibility, the decision-maker shall afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party.

The decision-maker shall issue, and simultaneously provide to both parties, a written decision as to whether the respondent is responsible for the alleged conduct. (34 CFR 106.45)

The written decision shall be issued within 60 calendar days of the receipt of the complaint.

The timeline may be temporarily extended for good cause with written notice to the complainant and respondent of the extension and the reasons for the action. (34 CFR 106.45)

In making this determination, the decision-maker shall use the "preponderance of the evidence" standard for all formal complaints of sexual harassment. (34 CFR 106.45)

The written decision shall include the following: (34 CFR 106.45)

1. Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR 106.30

2. A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the district includes hearings as part of the grievance process
3. Findings of fact supporting the determination
4. Conclusions regarding the application of the district's code of conduct or policies to the facts
5. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's educational program or activity will be provided by the district to the complainant
6. The district's procedures and permissible bases for the complainant and respondent to appeal

Appeals

Either party may appeal the district's decision or dismissal of a formal complaint or any allegation in the complaint, if the party believes that a procedural irregularity affected the outcome, new evidence is available that could affect the outcome, or a conflict of interest or bias by the Title IX Coordinator, investigator(s), or decision-maker(s) affected the outcome. If an appeal is filed, the district shall: (34 CFR 106.45)

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties
2. Ensure that the decision-maker(s) for the appeal is trained in accordance with 34 CFR 106.45 and is not the same decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator
3. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome
4. Issue a written decision describing the result of the appeal and the rationale for the result
5. Provide the written decision simultaneously to both parties

An appeal must be filed in writing within 10 calendar days of receiving the notice of the decision or dismissal, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered.

A written decision shall be provided to the parties within 20 calendar days from the receipt of the appeal.

Either party has the right to file a complaint with the U.S. Department of Education's Office for Civil Rights within 180 days of the date of the most recently alleged misconduct.

The complainant shall be advised of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal antidiscrimination laws, if applicable.

Remedies

When a determination of responsibility for sexual harassment has been made against the respondent, the district shall provide remedies to the complainant. Such remedies may include the same individualized services described above in the section "Supportive Measures," but need not be nondisciplinary or nonpunitive and need not avoid burdening the respondent. (34 CFR 106.45)

Disciplinary Actions

The district shall not impose any disciplinary sanctions or other actions against a respondent, other than supportive measures as described above in the section "Supportive Measures," until the complaint procedure has been completed and a determination of responsibility has been made. (34 CFR 106.44)

When an employee is found to have committed sexual harassment or retaliation, the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Report)

(cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4119.11/4219.11/4319.11 - Sexual Harassment) (cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Record-Keeping

The Superintendent or designee shall maintain, for a period of seven years: (34 CFR 106.45)

1. A record of all reported cases and Title IX investigations of sexual harassment, any determinations of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary sanctions imposed, any remedies provided to the complainant, and any appeal or informal resolution and the results therefrom.
2. A record of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment, including the district's basis for its conclusion that its response was not deliberately indifferent, the measures taken that were designed to restore or preserve equal access to the education program or activity, and, if no supportive measures were provided to the complainant, the reasons that such a response was not unreasonable in light of the known circumstances.
3. All materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process. The district shall make such training materials publicly available on its web site, or if the district does not maintain a web site, available upon request by members of the public.

(cf. 1113 - District and School Web Sites) (cf. 3580 - District Records)

(F) School-wide Dress Code Relating to Gang-Related Apparel (EC 35183)

Policy 5132.16: Student Dress Guidelines

The Governing Board believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Students' clothing must not present a health or safety hazard or a distraction which would interfere with the educational process.

Students and parents/guardians shall be informed about dress and grooming standards at the beginning of the school year and whenever these standards are revised. A student who violates these standards shall be subject to appropriate 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 dress code may be included as part of the school safety plan and must be presented to the Board for approval. The Board shall approve the plan upon determining that it is necessary to protect the health and safety of the school's students.

Uniforms

The Board recognizes that, in order to promote student safety and discourage peer rivalry and/or gang activity, the principal, staff and parent/guardian at a school site may wish to establish a reasonable dress code, which may include voluntary school uniforms.

Dress codes, which include voluntary school uniforms, may be included as part of the school safety plan submitted as required.

The Superintendent or designee shall establish procedures that schools, parents and guardians will follow if they decide to participate with the voluntary school uniform policy. Students shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardian decide not to participate.

The Governing Board feels that there is nothing inherently wrong with dress or color of dress, but when student's dress serves to intimidate or impede the rights of other students it will be determined that dress is in violation of this policy. A student may not remain at school dressed in a manner which (1) creates a safety hazard for said student or for other students at school, and/or (2) when the dress constitutes a serious and unnecessary distraction to the learning process or tends to disrupt campus order

When the site administrator/designee determines that a student's attire is in violation of this policy, the student will be required to modify his/her clothing and/or apparel in such a manner that it no longer violates this policy. If necessary, the student may be taken or sent home with parental permission to modify unacceptable dress and return to school. Refusal to take steps as described in this policy shall be cause for disciplinary action against the student. Any such disciplinary action shall be handled pursuant to existing student disciplinary policy

Parents/guardians have primary responsibility to see that students are properly attired for school. School district personnel have the responsibility for maintaining proper and appropriate conditions conducive to learning. Hence, the following guidelines will be implemented in all district schools.

1. Shoes will be worn at all times. A substantial sole is required and enclosed toe and heel footwear are highly encouraged.
2. Extremely brief garments that are distracting to the educational environment are not appropriate. Clothing shall be sufficient to conceal undergarments at all times.
3. Clothing or accessories shall be free of writing, pictures or any other insignia which are crude, violent, obscene or sexually suggestive or which advocate racial, ethnic or religious prejudice or the use of tobacco, drugs or alcohol.
4. Earrings, jewelry, or accessories which present a safety hazard to the wearer or others are not suitable for school wear.
5. Only prescription sunglasses may be worn in class. Other types of sunglasses may be worn on campus outside of class.
6. Identified gang attire such as bandannas, haircuts or hair rollers, or any gang paraphernalia are prohibited.

Students are allowed to wear sun protective clothing, including hats, while outdoors during the school day. Each school site will develop a policy indicating the type of sun protective hats that are permitted.

No grade of a student participating in a physical education class shall be adversely affected if the student does not wear standardized physical education apparel because of circumstances beyond the student's control. (Education Code 49066) All clothing worn during physical education shall meet reasonable safety standards.

The purpose of adopting these Student Dress Guidelines is not to infringe on any individual student's rights to freedom of expression, but rather to encourage students to dress appropriately and come to school properly prepared for participating in the educational process.

Gang-Related Apparel

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed as needed and updated as necessary.

Uniforms

In schools where a majority of parents respond and indicate on a survey that they desire to establish a voluntary school-wide uniform dress code, the principal, staff and the parents/guardians of the individual school site shall:

1. Jointly select the specific uniform to be worn. (Education Code 35183)
2. Describe the uniform parts and identify local vendors who sell those pieces of clothing. A description of the implementation of the voluntary uniform dress code will be submitted to the superintendent's designee including:
 - a. The process for parent notification
 - b. Positive procedures that will be used to encourage students to participate with the voluntary uniform dress code
3. A description of the uniform and a list of costs for each competitively priced item of clothing as provided by a variety of vendors will be sent to parents.
4. Parents will be notified that this is a voluntary uniform dress code and that students not participating shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardians so decide.

Parent Notification

The principal shall give parents/guardian at least six months notice before a school site implements a voluntary school uniform dress code. (Education Code 35183)

(G) Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School (EC 35294.2)

Closed campus: All doors which provide access to classrooms and other rooms, except the main office, remain locked. All visitors to the campus must come through the office to sign in through the Raptor System and obtain a visitor's badge which they must wear for the duration of the time they are on campus. All perimeter gates are locked during school hours.

Leaving early: Students must stay on campus from the time of arrival in the morning until school ends. Students may leave campus during school hours if parents, guardians, or persons designated by parents or guardians come to pick them up from school. A prior written request from a parent or guardian must be submitted if someone other than the parent or someone on the emergency card is going to pick up a child. Persons picking up students during the school day must sign the student out in the front office. They must be at least 18 years of age and provide a valid ID. Under no circumstances should a student leave campus without permission.

Late arrivals: If a student is late in the morning, they must report to the office for a late slip and then quickly go to class.

Volunteers: Kingsbury appreciates our volunteers. School volunteers are required to fill out a volunteer application. Upon clearance you may begin volunteering at Kingsbury . Volunteers are required to check in with school personnel at each visit.

(H) A Safe and Orderly School Environment Conducive to Learning (EC 35294.2)

Component:

Physical Environment

The Schools' Location and Physical Environment

Kingsbury Elementary School is located in the Redlands area of San Bernardino County that has an average crime rate and 11% poverty level. The immediate area round the school includes southwest Redlands. Present safety hazards include none..

Description of School Grounds

The school site encompasses 12.4 acres. The grounds are grass, concrete and asphalt and includes basketball and volleyball courts, baseball diamonds and a lined track. There are several wings and/or clusters of classrooms including 24 classrooms 6 re-locatable classrooms. Other ancillary structures include the multipurpose room and office.

During the school day, staff members and administrators shall provide campus supervision. Identified problem areas receive increased supervision to reduce discipline, crime, or other school safety concerns.

It shall be the practice of Kingsbury Elementary School to remove all graffiti from school property before pupils arrive to begin their school day. Other acts of vandalism are promptly addressed.

Maintenance of School Buildings/Classrooms

The school's physical facility is well maintained and generally looks neat and clean. The school was most recently painted August 2017 (exterior) renovated during the 2004 year. District personnel periodically examine the school's physical facility and help eliminate obstacles to school safety. Additionally, health and fire department inspectors contribute to school safety.

Last fire inspector safety was July 2022.

Internal Security Procedures

Kingsbury Elementary School has established procedures in the following areas: California Safe School Assessment (CSSA) reporting procedures, suspension and expulsion procedures, inventory system, and District established discipline guidelines and the school follows PBIS philosophies.

Kingsbury Elementary School crime statistics reflect a total of 0 crimes reported during the 2022-2023 School Year.

Keeping reportable crimes at a minimum requires constant vigilance. The following strategies will be utilized in achieving this goal : video surveillance and maintaining a partnership with the community and Redlands Police.

Kingsbury Elementary School maintains a copy of the district's sexual harassment policy in the main office/principal's office and the policy is available on request. The District's Sexual Harassment Policy contains dissemination plans, applicable definitions, reporting requirements, investigation procedures, enforcement regulations, and information related to suspension and/or expulsion for sexual harassment of or by pupils. Additionally, a notice summarizing this sexual harassment policy appears in the Parent & Student Handbook. The parent student handbook is distributed at the beginning of each school year to all parents and pupils.

To ensure the safety of pupils and staff, all visitors to the campus, except pupils of the school and staff members, shall register immediately upon entering any school building or grounds when school is in session. District employees, not assigned to Kingsbury Elementary School shall wear appropriate identification badges while on campus conducting business.

Discipline procedures shall focus on finding the cause of problems and working with all concerned to reach the proper, lawful solutions. The school's discipline plan begins at the classroom level. Teachers shall use a visible classroom management plan to communicate classroom rules, promote positive pupil conduct, and reduce unacceptable conduct. Appropriate consequences are administered based on the seriousness of the pupil's misbehavior.

Pupil conduct standards and consequences for Kingsbury Elementary School are specifically described in this Comprehensive Schools Safety Plan including: (a) the adopted school discipline rules and procedures, (b) District Disciplinary Guidelines, and (c) the adopted school-wide dress code.

Pupils may be suspended, transferred to another school, or recommended for expulsion or for certain acts. For specific student violations, a mandatory expulsion recommendation shall be submitted by the administration of Kingsbury Elementary School.

Site administrators contribute to a positive school climate, promote positive pupil behavior, and help reduce inappropriate conduct. The principal/designee uses available district and other appropriate records to inform teachers of each pupil identified under E.C. 49079.

Law enforcement is contacted and consulted to help maintain and to promote a safe and orderly school environment. Kingsbury Elementary School employees comply with all legal mandates, regulations, and reporting requirements for all instances of suspected child abuse.

If appropriate, additional internal security procedures affecting the integrity of the school facility include: video surveillance system, increased campus monitor hours, full time counselor and assistant principal. All classrooms have See Something, Say Something posters with phone numbers of all agencies that keep students safe. All rooms of the school have daily safety checks by either the principal, or assistant principal. Further, all staff are trained on the District's boundary policies and the Adult/Student Boundaries Pamphlet issued by the District, and available on the District's website. Finally, everyone that comes on to the grounds must sign in through our Raptor program; identification is scanned and the person is run through an instant sex offender/background check.

Community involvement is encouraged to help increase school safety.

Kingsbury currently has partnerships with Redlands High School, Smiley Library, Inland Empire Therapy Dogs, Rotary Club, and the Rochford Foundation.

Inventory System - Engraved ID, Security Storage

Most school-site equipment has a metal ID tag or a bar cod sticker adhered to its surface. These items are inventoried annually and there is an established accountability system. Office and classroom supplies are secured.

Element:

Goal 1:

Improve the physical plant

Opportunity for Improvement:

I. Areas of Pride and Desired Improvements

a. Pride

1. Student indoor learning environments will be kept clean and free of debris; inviting and safe, thus increasing student attendance and increasing academic achievement
2. Student outdoor play and transition areas will be well maintained and safe (free of vandalism, graffiti, and damage/safety hazards); thus encouraging student attendance and school pride

b. Areas of Desired Improvement

1. Student indoor areas kept clean and provided technology upgrades as appropriate with a STEAM lab on campus.
2. Student outdoor areas will be well maintained and nicely landscaped. Drinking fountains and water bottle fill stations will be kept clean.

Objectives	Action Steps	Resources	Lead Person	Evaluation
II. Desired Change #1 Students indoor areas will maintain their cleanliness and be upgraded as appropriate.	a.. Related Strategies and Activities 1. Encourage students to keep their area clean, especially as they leave the area. 2. Administration will maintain an open door policy and visible for students to report problem areas regarding bathrooms or other student areas	b. Resources Required 1. N/A 2. N/A e. Budget 1. N/A 2. N/A	c. Personnel Assignments 1. Custodian, Steam Lab Teacher, IT Personnel, Campus Monitors, Administration 2. N/A	f. Evaluation criteria 1. Visual inspections / Walk thru process 2. Data / meetings and communication with custodial staff at their monthly meetings, and Steam team d. Timeframe for completion 1. Daily/as needed 2. N/A
III. Desired Change #2 Continued upkeep of physical appearance of exterior buildings and other outdoor areas of campus including but not limited to playground equipment.	a. Related Strategies and Activities 1. Open Communication with staff; especially custodians and working with volunteers 2. Maintain work order status	b. Resources Required 1. N/A 2. N/A e. Budget 1. N/A 2. N/A	c. Personnel Assignments 1. Administration, Office Staff, and Custodians 2. Office Manager	f. Evaluation criteria 1. Meetings with custodial/maintenance staff and monthly review of site safety inspection 2. Walk Thru Process d. Timeframe for completion 1. Daily / as needed 2. N/A

Component:

School Climate

The School's Social Environment

Leadership at Kingsbury Elementary School is a shared process. A proactive role is assumed in all phases of the school operation. The current management team is committed to developing Kingsbury Elementary School toward excellence in the areas of academic and social behavior.

The principal sets a positive tone for the school, guides the staff and works closely with them on curriculum and school safety issues. The school site's organizational structure is open and flexible contributing to sensitivity concerning school safety issues and promoting a safe, orderly school environment conducive to learning.

Disaster Procedures, Routine and Emergency

A contingency plan for emergencies is contained in a handbook available to each staff member. The District's Emergency Response Plan - (ERP Plan) is listed at the last section of this plan. The plan is reviewed at the beginning of each school year. This plan also contains available district and outside agency resources, emergency disaster procedures and information on Standardized Emergency Management System (SEMS).

Classroom Organization and Structure

Kingsbury Elementary School teachers provide a varied learning environment in their classrooms. Teachers use a variety of teaching strategies including: teaching the California State Standards with a focus on math and language arts and maintaining a positive and safe learning environment.

The teachers at Kingsbury Elementary School are highly qualified, with many teachers holding advanced degrees. The staff is united in their desire to provide quality education for all pupils. Classrooms and teachers provide safe, orderly learning environment, enhance the experience of learning, and promote positive interactions amongst pupil and staff. Instructional time is maximized and disruptions are minimized.

The School's Cultural Environment

There is a high level of cohesiveness among the staff members at Kingsbury Elementary School. Cooperation and support between teachers and the administration is evident. Efforts are made by the administration and staff to show concern for all pupils.

All pupils are expected to behave in a manner that promotes safety and order. Pupils are encouraged to bring problems to the principal, assistant principal, counselor, teacher or other staff members. The everyday goal is for the staff to be proactive rather than reactive in all situations of concern.

The academic and behavior efforts of pupils are recognized and rewarded.

Cultural diversity is celebrated throughout the year by praising all groups of students, both in their classrooms, and school-wide, at awards assemblies recognizing academics, attendance, and those meeting PBIS standards. Kingsbury also celebrates diversity by participating in cultural celebrations such as Black History Month, Multicultural Fairs, and DELAC and ELAC meetings, AAPAC meetings to begin this year, trainings, and recognitions. Our counselor also teaches about how to celebrate diversity in her weekly lessons to all students..

Element:

Goal 2:

Continue to promote a safe educational environment conducive to student learning.

Opportunity for Improvement:

I. Areas of Pride and Desired Improvements

a. Pride

1. An academic program aligned to California State Standards setting high expectations; thus increasing student academic achievement
2. Implement District and State discipline policies intertwined with positive behavior interventions (PBIS); thus increasing student attendance and decreasing student suspensions and time out of class

b. Areas of Desired Improvement

1. Ensure all students have equal access to California State Standards and maintaining a state of the art STEAM lab
2. Minimize the amount of instruction students miss due to being out of class for disciplinary consequences

Objectives	Action Steps	Resources	Lead Person	Evaluation
II. Desired Change #1 Ensure all students have equal access to California State Standards through daily instruction	a. Related Strategies and Activities 1. Teachers will adhere to scope and sequence set by RUSD 2. Daily classroom walk-thrus by site administration	b. Resources Required 1. Scope and Sequence 2. N/A e. Budget 1. N/A 2. N/A	c. Personnel Assignments 1. Administration 2. Certificated Teachers	f. Evaluation criteria 1. Administration Walk Thru Process 2. Benchmark / State Testing d. Timeframe for completion 1. Daily/as needed 2. N/A
III. Desired Change #2 Minimize the amount of instruction students miss due to being out of class for disciplinary consequences	a. Related Strategies and Activities 1. Kingsbury is a PBIS School with elementary counselor providing lessons reinforcing the school's goals. 2. Administration-Teacher coordination of Student Specific Behavior Intervention Plans	b. Resources Required 1. None 2. N/A e. Budget 1. None 2. N/A	c. Personnel Assignments 1. All Staff 2. Counselor	f. Evaluation criteria 1. Referral / Suspension Data 2. Frequent visual inspection of office for number of students awaiting administrator d. Timeframe for completion 1. Daily/as needed 2. N/A

(I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5)

Kingsbury Elementary School in the 2024-2025 school year Student Conduct Code

Procedures to Ensure a Safe and Orderly Environment

Rules and Procedures on School Discipline

Philosophy of Discipline

- Behavior expectations and the consequences for not meeting expectations must be clearly communicated to all students and their parents (in writing as well as verbally).
- The severity of consequences for violating behavior expectations increases with each incident of inappropriate behavior.
- The consequences for violating behavior expectations should be severe enough to discourage students from making poor behavior decisions.
- Expectations and consequences should permit students an opportunity to eliminate inappropriate behavior.

Additionally, the school staff recognizes that the middle school years are a transition time from adolescence to young adulthood. As a part of this transition, the student is given greater opportunities to be responsible and demonstrate independence and good judgment. The structure of our behavior expectations (in the classroom as well as school wide) is meant to encourage students to be responsible. The first step in many instances of inappropriate behavior (those considered to be "minor") is a simple warning ("Your behavior is unacceptable. Please stop such behavior"). It is only when a student ignores such warnings and continues to choose to act irresponsibly (like a child rather than an emerging adult) that we involve parents and implement consequences.

Elements of a Good Discipline Program

1. The program is focused upon making the entire campus, especially the classroom, a safe, supportive and orderly environment for learning for students and staff.
2. Classroom authority is retained by the classroom teacher. (Administration's role is to support, not to replace.)
3. Rules and procedures are clearly understood by staff and students.
4. All staff members will acknowledge and take appropriate action on any minor or major infraction of the school rules.
5. Rules and procedures comply with State Law and District policies.
6. The program recognizes the responsibilities and the rights of students and staff.
7. Program is structured to keep students in class and engaged in the educational process.
8. Rules are enforced:
 - A. by all staff members at all times.
 - B. strictly, but not rigidly (beware of "automatics").
 - C. in substantial part by adult modeling.
 - D. using techniques that promote the growth of positive self-esteem.
 - E. as close to the source as is possible.
 - F. by keeping parents informed.
9. The discipline program is understood, endorsed, and supported by staff, parents, and students.

PRINCIPAL'S STATEMENT TO EDMS STAFF

Expectations in Developing & Maintaining Discipline

As Principal of our school, I will expect;

Each teacher to have a defined system of classroom management. A written description of this system, including representative examples of the progressive interventions you intend to employ, will be approved and filed by me. Whenever possible and appropriate, teachers are encouraged to use standards and systems that are consistent with other village/departments members.

You can expect

Each administrator to assist and support you in every reasonable way in developing, implementing, and refining that system as needed.

I will expect

That when you refer a student for discipline:

1. The student has been made fully aware of classroom and school rules and knows what rules he/she has violated.
2. Teachers within a village will discuss any continuing behavior problems and schedule a team conference with the student and parents when appropriate.
3. That information will be provided on the referral regarding previous actions you have taken regarding this specific issue.
4. You have exhausted the interventions at your disposal (i.e., you have done everything you can do) and you have followed the guidelines established by the administration and staff on what constitutes an appropriate behavior referral.
5. The behavior was so serious or so blatant as to make immediate removal from the classroom necessary.
6. The written referral will be explicit in stating the offense(s).
7. You will send the student out of class with a referral only if his/her continued presence in the class would disrupt or prevent teaching and/or learning.
8. If necessary, the referral will be delivered to the office at a time convenient to the staff member so that the issue may be handled most efficiently, causing a minimum of lost class time.

You can expect

1. Each administrator to support your position in every reasonable way.
2. A response time on your referral of one, or at most, two days.

3. The availability of an administrator to discuss unresolved referrals after school on any given day.
4. That the administrator will exercise independent judgment regarding disposition of referrals.

I will expect

1. That each teacher will go to the doorway of his/her classroom after each class period as often as possible and assume control of student behavior in the corridor.
2. That each staff member will hold students accountable for their behavior on the school grounds at all times.

You can expect

1. Administrator support, investigation, and follow-through as indicated.
2. A response to referrals from incidents outside the classroom to be the same as to those within.

Renee Kanoti
Principal

WHAT TO DO WHEN PROBLEMS APPEAR

Both behavioral and academic problems are present in some of our students. Teachers often ask for guidelines for dealing with these problems. Here they are:

1. Talk to the administrator assigned to your grade level.
2. Call parents at first sign of concern. Inform the parents of your observations, ask for their ideas, assistance, and support in serving the student. Keep a log of your calls.
3. If possible, talk privately to the student about your concerns.
4. Behavior concerns—look through students' CUM file. Any official suspensions will be in file, also look for teacher comments on report cards. Look for patterns of behavior. We use In-House Suspension whenever possible, as it is preferable to having students at home unattended—and it saves the district money. Serious infractions (fighting, threats, etc.) do result in official suspension. Unresponsive students can be moved to other schools or expelled.
5. Referrals—please remember if you write a student referral, you are required to call the parents. You are writing the referral and can answer the parents' questions firsthand. Administrators will also call parents, but we can only give secondhand information on the incident.
6. Academic Concerns—again, look through student CUM. This will contain test scores, report cards, and a student history. You may want to ask the grade level administrator to schedule a Student Study Team (SST). This will involve a meeting with the student, parents, administrators, students' teachers, and perhaps the psychologist

Conduct Code Procedures

PBIS/Restorative Practices

Kingsbury Elementary participates in Positive Behavioral Interventions and Supports (PBIS), which is a way for schools to encourage and teach good behavior. PBIS is an approach that schools can use to improve school safety and promote positive behavior. It's also a way for schools to decide how to respond to a child who misbehaves. Restorative Practices are focused on relationships with the goal of building strong connections that promote positive behavior and positive classroom climate. Both PBIS and Restorative Practices seek to improve school and classroom climate, increase student achievement, build social and emotional capacity, keep students in school, and improve teacher classroom management. Restorative Practices are intended to provide tools for creating positive behavioral outcomes.

More detailed expectations can be found in Kingsbury's Parent and Student Handbook

(K) Hate Crime Reporting Procedures and Policies

PENAL CODE - PEN

PART 1. OF CRIMES AND PUNISHMENTS [25 - 680.4] (Part 1 enacted 1872.)

TITLE 11.6. CIVIL RIGHTS [422.55 - 422.94] (Title 11.6 added by Stats. 1987, Ch. 1277, Sec. 4.)

CHAPTER 1. Definitions [422.55 - 422.57] (Chapter 1 added by Stats. 2004, Ch. 700, Sec. 6.)

422.55.

For purposes of this title, and for purposes of all other state law unless an explicit provision of law or the context clearly requires a different meaning, the following shall apply:

(a) "Hate crime" means a criminal act committed, in whole or in part, because of one or more of the following actual or perceived characteristics of the victim:

- (1) Disability.
 - (2) Gender.
 - (3) Nationality.
 - (4) Race or ethnicity.
 - (5) Religion.
 - (6) Sexual orientation.
 - (7) Association with a person or group with one or more of these actual or perceived characteristics.
- (b) "Hate crime" includes, but is not limited to, a violation of Section 422.6.

(Added by Stats. 2004, Ch. 700, Sec. 6. Effective January 1, 2005.)

EDUCATION CODE - EDC

TITLE 2. ELEMENTARY AND SECONDARY EDUCATION [33000 - 65001] (Title 2 enacted by Stats. 1976, Ch. 1010.)

DIVISION 4. INSTRUCTION AND SERVICES [46000 - 65001] (Division 4 enacted by Stats. 1976, Ch. 1010.)

PART 27. PUPILS [48000 - 49703] (Part 27 enacted by Stats. 1976, Ch. 1010.)

CHAPTER 6. Pupil Rights and Responsibilities [48900 - 49055] (Chapter 6 enacted by Stats. 1976, Ch. 1010.)

ARTICLE 1. Suspension or Expulsion [48900 - 48927] (Article 1 repealed and added by Stats. 1983, Ch. 498, Sec. 91.)
48900.3.

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In addition to the reasons set forth in Sections 48900 and 48900.2, a pupil in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has caused, attempted to cause, threatened to cause, or participated in an act of, hate violence, as defined in subdivision (e) of Section 233.

(Amended by Stats. 1999, Ch. 646, Sec. 25. Effective January 1, 2000.)

(J) Procedures to Prepare for Active Shooters

3 LEVELS OF STUDENT SAFETY IN A CRISIS

Safe & Secure Mode is a security procedure used to reduce student and staff movement outside school buildings. This may be due to medical emergency, area disturbance, etc. It is designed to allow for school to carry forward but have the ability to move to Lockdown quickly if needed. During the Safe & Secure mode, there is heightened vigilance on campus by all school staff. Generally, recesses and outdoor activities are reduced. Parents/guardians can have access to their student(s) and may check them out of school if they see fit to do so.

Teachers should continue teaching as normal

Allow students restroom use with clear administrator/ teacher direction

Increased available staff presence during passing periods and student dismissal

Lunch/activities in more secure area, unless site admin decides otherwise

Standard inclement weather schedule/routine in place, unless site administrator/designee decides otherwise

Perimeter gates, where applicable, will be locked and monitored by available staff, allowing for central access points

PE classes will be moved off all fields into more secure locations (e.g., gym, class, & MPR)

Lock Down is called when a law enforcement event is happening in the vicinity of a school. The law enforcement agency generally, but not always, contacts the school/district to encourage the school site to Lock Down as a precautionary measure. All

Administrators are expected to place their school in Lock Down in this scenario.

Take a look outside your classroom and gather up any stray students in the hallways

Ensure that your door is locked

If windows are open, close them

Project a calm demeanor to help students remain calm. Reassure students that they are safe

Do not allow anyone to leave the classroom

Frequently check your emails for possible updates from your site administrators

If students are out on the playground or athletic fields, quickly move them to a secure classroom, locker room, or multi-purpose room

Critical Alert is called when a significant, threatening event is happening on campus or adjacent to campus that creates a potential danger to students and staff. While this may be communicated to the school by law enforcement, it may also be determined by school officials on the scene. Critical Alert assumes that everyone is prepared for a potential significant threat/event on campus.

Implement all items from Lock Down list above

Turn off or reduce lighting, so it will appear that the room is vacant

Keep all students sitting on the floor, away from the door or windows

Do not look out the windows

Cover window on the door (if one exists)

Advise the students that there is a serious situation, but you don't know what it is. Project a calm demeanor to help students remain calm. Reassure students that they are safe

Ensure that everyone in the room turns the ringer off on their cell phones

Do not allow students to talk on their cell phones (keep room as quiet as possible)

Do not call the office. They are in the midst of a problem and will not be able to answer all the calls which may tie up the phone system

Quietly take roll and make a list of missing students and any extra students that are in your room. Email this list to your administrators and school site secretaries

Do not evacuate students until you are told to, even if the fire bells go off. If, in fact, there is a need for a fire evacuation, you will be notified via the PA system, email, or phone call

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Do not open the door, even if someone knocks and claims to be a staff member (Administrator/custodian will have a master key)

If students are out on the PE field, do not return them to the locker room. Move them to a safe place (the farthest part of the campus)

Procedures for Preventing Acts of Bullying and Cyber-bullying

RUSD Board Regulation 5144.1(17)

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))

Safety Plan Review, Evaluation and Amendment Procedures

A Safety Committee is created each school year. The purpose of the committee is to review the Safety Plan and procedures on a continual basis. The committee meets a minimum of three times per year and is made up of school staff and parent/community members. The Safety Committee recommendations are brought to the attention of the staff and presented to School Site Council for approval.

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)
Safety Committee Input and Approval	9/25/2024	
School Site Council Input and Approval	9/26/2024	

Emergency Response Guidelines

Step One: Identify the Type of Emergency

Determining the type of emergency will assist the commander/administrator in making the appropriate decisions to keep the campus safe. The response to a fire is drastically different than responding to an active shooter. The type of emergency may lead to evacuation, shelter-in-place, or lockdown as well as which agency to contact.

Step Two: Identify the Level of Emergency

Determining the size and immediacy of the emergency will determine the level. The site leader will determine if it is a classroom only, building only, area only (i.e. playground), whole school, neighborhood, or city-wide emergency.

Step Three: Determine the Immediate Response Action

With safety of students, staff and visitors at the forefront, site administrators/commander will determine immediate response based on site protocols. Please reference sections about specific emergencies.

Step Four: Communicate the Appropriate Response Action

Administrators/Commander will communicate to the necessary emergency responders via phone. Administrators/Commander will utilize a variety of communication tools to notify staff and emergency participants such as: Bell system, phone intercom system, emails. In addition, the Administrator/Commander will communicate with the District Office via emergency radio. Lastly, a community communication plan will be created to notify families of incident, pick-up procedures, or next steps through one or several methods: Parent Square, postings on website and all social media accounts.

Types of Emergencies & Specific Procedures

Earthquake

Earthquake A. INSIDE SCHOOL BUILDING: 1. The teacher, or staff member in authority, will implement action, DUCK COVER AND HOLD. Stay inside building until the shaking stops. 2. Try to avoid glass and falling objects, areas where there are large panels of glass and/or heavy suspended light fixtures. 3. Do not use telephones. 4. Implement action, "LEAVE BUILDING", when instructed to do so, after the earthquake is over and tremors have subsided. Special consideration should be given to exit routes as some exits have heavy roof structures over the doorways. Go to an open area away from trees, power poles, etc. 5. Avoid touching electrical wires and metal objects such as chain link fences. 6. Render first aid if necessary. 7. Take roll and report missing students to principal. 8. The principal/designee is to establish a command post, assess damage, activate search team and activate the incident command system. 9. Activate a buddy system; determine needs of neighboring schools. 10. Principal to request assistance through school district radio. 11. Notify the District Emergency Operations Center of any breaks in utility lines. 12. The superintendent/designee will determine the advisability of closing the school, based on the report of the principal. B. IF OUTSIDE: 1. Move away from buildings, playground equipment, utility poles, signs, trees, metal fences, exposed wires and wet areas. 2. The safest place is in the open. Stay there until the earthquake is over. 3. Follow procedures 5 through 12 under "Inside School Building." C. WALKING TO AND FROM SCHOOL: 1. The safest place is in the open. Stay there. 2. Move away from buildings, utility poles, signs, trees, metal fences and exposed wires. 3. DO NOT RUN! Do "DROP -TAKE COVER." 4. After an earthquake, if on your way TO school, continue to school. 5. After an earthquake, if on your way FROM school, continue home. D. ON SCHOOL BUS: 1. If possible, the bus driver will pull to the side of the road away from any buildings, poles, and large trees issue command "DROP — TAKE COVER." 2. Turn off ignition and set brakes. 3. Wait until the earthquake is over. 4. If possible, contact dispatch office by district radio for instructions. E. HANDICAPPED STUDENTS: 1. Students with handicap conditions may need special assistance and instruction regarding falling debris. Additional drills may be needed to make certain the procedures are mastered. 2. Each handicapped student's needs should be assessed in relation to the possibility of a disaster and his/her preparedness.

Fire in Surrounding Area

Fire in Surrounding Area INITIAL RESPONSE: 1. If necessary, sound the school alarm and evacuate building. 2. Notify the fire department by dialing 911. 3. Assemble at the pre-designated areas at safe distance from the fire/fire-fighting equipment. 4. Assist disabled persons during the evacuation. 5. Render first aid as necessary. 6. Check all bathrooms and training rooms for staff and students. 7. If it is possible for adults to fight small fires (no bigger than a desk) without endangering life and/or causing injury, do so. 8. Close, but do not lock all doors leading to the fire area to isolate the area and prevent the spread of the fire. 9. Keep access roads open for emergency vehicles. 10. Teachers should take roll and report missing students to the office. No one should leave the area until instructed to do so. 11. Notify the Superintendent. 12. The principal will recommend to the Superintendent whether further action such as the EVACUATION OF SCHOOL should be implemented. 13. Notify utility companies of a break or suspected break in their lines. 14. After a serious fire, fire department officials and maintenance personnel should determine whether the building is safe before student and staff return.

Fire on School Grounds

Fire on School Grounds INITIAL RESPONSE: 1. Sound the school alarm and evacuate building. 2. Notify the fire department by dialing 911. 3. Assemble at the pre-designated areas at safe distance from the fire/fire-fighting equipment. 4. Assist disabled during the evacuation. 5. Render first aid as necessary. 6. Check all bathrooms and training rooms for staff and students. 7. If it is possible for adults to fight small fires (no bigger than a desk) without endangering life and/or causing injury, do so. 8. Close, but do not lock all doors leading to the fire area to isolate the area and prevent the spread of the fire. 9. Keep access roads open for emergency vehicles. 10. Teachers should take roll and report missing students to the office. No one should leave the area until instructed to do so. 11. Notify the Superintendent. 12. The principal will recommend to the superintendent whether further action such as the EVACUATION OF SCHOOL should be implemented. 13. Notify utility companies of a break or suspected break in their lines. 14. After a serious fire, fire department officials and maintenance personnel should determine whether the building is safe before student and staff return.

Pandemic

Blood Borne Pathogen Incident Reporting Form and Exposure Control Plan

Policy 5141.22: Infectious Diseases

The Governing Board desires to protect students from risks posed by exposure to infectious diseases while providing an appropriate education for all students.

The Superintendent or designee shall determine whether to admit a student with an infectious disease, and shall exclude students only in accordance with law. In making this determination, he/she shall consult the student's parents/guardians, the student's physician and/or the county health department, in accordance with law and consistent with confidentiality provisions. Because bloodborne pathogens such as hepatitis B virus, hepatitis C virus and human immunodeficiency virus (HIV) are not casually transmitted, the sole presence of bloodborne pathogens is not sufficient reason to exclude students from attending school.

cf. 5112.2 - Exclusions from Attendance)
(cf. 5141.26 - Tuberculosis Testing)
(cf. 5141.3 - Health Examinations)
(cf. 6158 - Independent Study)
(cf. 6159 -Individualized Education Program)
(cf. 6183 - Home/Hospital Instruction)

Parents/guardians are encouraged to inform the Superintendent or designee if their child has an infectious disease so that school staff may work cooperatively with the student's parents/guardians to minimize the child's exposure to other diseases in the school setting. The Superintendent or designee shall ensure that student confidentiality rights are strictly observed in accordance with law. No district employee shall release medical information, including knowledge of a bloodborne pathogen infection, without written consent from the parent/guardian or adult student. Such information shall be shared only with those persons specifically named in the written permission.

(cf. 5125 - Student Records)
(cf. 5022 -Student and Family Privacy Rights)

The Board requires students and staff to routinely observe universal precautions to prevent exposure to bloodborne pathogens and to prevent the spread of all infectious disease.

cf. 4119.42/4219.42/4319.42 -Exposure Control Plan for Bloodborne Pathogens)
(cf. 4119.43/4219.43/4319.43 - Universal Precautions)
(cf. 5141.23 - Infectious Disease Prevention)

The Superintendent or designee shall ensure that the district's health education program provides information about the nature of bloodborne pathogens and their transmission.

(cf. 5141.6 - Student Health and Social Services)
(cf. 6142.2 - Sexual Health and HIV/AIDS Prevention Instruction)
(cf. 6142.8 - Comprehensive Health Education)

Blood Borne Pathogens - Safety Practices

Procedures and Regulations

1. General

1.1 While recognizing that both students and employees diagnosed with an infectious blood borne disease are entitled to a confidential relationship between themselves, the medical community and/or other agencies, the Board of School Trustees encourages these individuals to meet with the School Principal and/or Superintendent of Schools to discuss their disease and immediate and future needs.

1.2 Assessment

2. Students:

2.1. The Superintendent (or designate) will be informed, by the school principal as soon as is known, of any student infected with an infectious blood borne disease.

2.2. A Risk Assessment will be conducted using a team approach including the personal physician, public health personnel, the parent or guardian, and school district personnel as appropriate and will make recommendations about the type of educational and care setting based on the following:

- a. Behavior, neurological development and physical condition of the child;
- b. Type of interaction expected with others.
- c. What the potential is for exposure
- d. Areas for potential for exposure
- e. How exposure may happen
- f. Who needs to know?
- g. What will happen if there is a risk of exposure?

2.3. The team will consider the risk to others in the workplace, whether or not the individual is healthy enough to continue to attend school, and what precautions should be taken to ensure the safety and health of others.

a. The identity of infected students will remain confidential and restricted to those who need to know or are required to be informed.

2.4. Decisions on attendance at school are dependent on the circumstances of each individual case. Regular evaluation of the appropriateness of attendance will be conducted.

2.5. The Board will be notified immediately when the team considers the health condition of a student to be a danger to the immediate health and welfare of a school, its students or employees of the Board.

a. Upon being notified of the team's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

3. Employees

3.1. The Superintendent will be informed, by district staff as soon as is known, of any employee infected with an infectious blood borne disease.

3.2. Employees with an infectious blood borne disease, who are able to carry out the essential duties of their jobs in a satisfactory manner without posing a health or safety risk to themselves or others, will be entitled to continue their work.

3.3. Decisions regarding potential health or safety hazards will be made on a case-by-case basis in consultation with the employee, the personal physician and district personnel as appropriate.

3.4. The identity of infected employees will remain confidential and restricted to those who need to know or are required to be informed.

3.5. The Board will be notified immediately if the Superintendent considers the health condition of an employee to be a danger to the immediate health and welfare of a school, its students or other employees of the Board.

a. Upon being notified of the Superintendent's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

4. Hygienic Safety Practices

4.1. All employees will follow "Universal Infection Control Precautions" by assuming that blood and other body fluids from all individuals are potentially infectious. These precautions include:

- a. Routinely using gloves when anticipating contact with blood
- b. Immediately washing hands and other skin surfaces after removal of gloves and/or contact with blood

4.2. Schools will be provided with appropriate protective equipment including disposable waterproof gloves (natural rubber latex, neoprene, nitrile, or vinyl), tongs or pliers and proper sharps containers.

4.3. Schools' medical room mattresses will be either vinyl-coated beds or cloth mattress with a protective vinyl (plastic) covering so that they can be cleaned as needed with a bleach solution.

4.4. Blankets can be cleaned as needed by forwarding them, in a clearly labeled plastic bag, to the Assistant Supervisor Operations at the Facilities Office.

5. Universal Precautions

5.1. Universal Precautions to prevent transmission of blood-borne disease will be followed. Universal Precautions is the term for infection control measures endorsed by the Canadian Centre for Occupational Health and Safety for workers who might come into contact with blood and other body fluids. In summary they include:

- a. Wash hands for 30 seconds after contact with blood and other body fluids contaminated with blood.
- b. Wear disposable latex gloves when you encounter blood, body fluids, or when cleaning cuts, scrapes or wounds. Wash your hands as soon as you remove your gloves. Dispose gloves in a plastic bag.
- c. Use disposable absorbent material like paper towels to stop bleeding.
- d. Discard bloodstained material in a sealed plastic bag and deposit in the garbage. Label as containing blood-tainted material.
- e. Cover cuts or scrapes with a bandage until healed.
- f. Immediately protect staff and students from coming in contact with blood-soiled surfaces. The area must be disinfected with a fresh solution of one part bleach and nine-parts water (10% bleach solution).

Mops or brushes used for cleaning should be soaked in a bleach solution for 20 minutes.

(Note: The custodial department will provide each school with the product for dissolving in water to provide the bleach solution.)

6. Identification of Risks of Occupational Exposure

6.1. In accordance with the Occupational Health and Safety Regulations (section 6.35), the district's Health & Safety Coordinator will develop and maintain a list of positions and/or tasks and procedures where there is a potential for occupational exposure to a blood borne pathogen.

6.2. Employees who have, or may have, occupational exposure to the hepatitis B virus, will upon request, receive a hepatitis B vaccination (section 6.39, OH&S Regs).

6.3. Employees who may have been exposed to a blood borne pathogen in an exposure incident will be advised to immediately seek medical attention

Blood Borne Pathogen Incident Reporting Form and Exposure Control Plan

Policy 5141.22: Infectious Diseases

The Governing Board desires to protect students from risks posed by exposure to infectious diseases while providing an appropriate education for all students.

The Superintendent or designee shall determine whether to admit a student with an infectious disease, and shall exclude students only in accordance with law. In making this determination, he/she shall consult the student's parents/guardians, the student's physician and/or the county health department, in accordance with law and consistent with confidentiality provisions. Because bloodborne pathogens such as hepatitis B virus, hepatitis C virus and human immunodeficiency virus (HIV) are not casually transmitted, the sole presence of bloodborne pathogens is not sufficient reason to exclude students from attending school.

(cf. 5112.2 - Exclusions from Attendance)
(cf. 5141.26 - Tuberculosis Testing)
(cf. 5141.3 - Health Examinations)
(cf. 6158 - Independent Study)
(cf. 6159 - Individualized Education Program)
(cf. 6183 - Home/Hospital Instruction)

Parents/guardians are encouraged to inform the Superintendent or designee if their child has an infectious disease so that school staff may work cooperatively with the student's parents/guardians to minimize the child's exposure to other diseases in the school setting. The Superintendent or designee shall ensure that student confidentiality rights are strictly observed in accordance with law. No district employee shall release medical information, including knowledge of a bloodborne pathogen infection, without written consent from the parent/guardian or adult student. Such information shall be shared only with those persons specifically named in the written permission.

(cf. 5125 - Student Records)
(cf. 5022 - Student and Family Privacy Rights)

The Board requires students and staff to routinely observe universal precautions to prevent exposure to bloodborne pathogens and to prevent the spread of all infectious disease.

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)
(cf. 4119.43/4219.43/4319.43 - Universal Precautions)
(cf. 5141.23 - Infectious Disease Prevention)

The Superintendent or designee shall ensure that the district's health education program provides information about the nature of bloodborne pathogens and their transmission.

(cf. 5141.6 - Student Health and Social Services)
(cf. 6142.2 - Sexual Health and HIV/AIDS Prevention Instruction)
(cf. 6142.8 - Comprehensive Health Education)

Blood Borne Pathogens - Safety Practices

Procedures and Regulations

1. General

1.1 While recognizing that both students and employees diagnosed with an infectious blood borne disease are entitled to a confidential relationship between themselves, the medical community and/or other agencies, the Board of School Trustees encourages these individuals to meet with the School Principal and/or Superintendent of Schools to discuss their disease and immediate and future needs.

1.2 Assessment

2. Students:

2.1. The Superintendent (or designate) will be informed, by the school principal as soon as is known, of any student infected with an infectious blood borne disease.

2.2. A Risk Assessment will be conducted using a team approach including the personal physician, public health personnel, the parent or guardian, and school district personnel as appropriate and will make recommendations about the type of educational and care setting based on the following:

- a. Behavior, neurological development and physical condition of the child;
- b. Type of interaction expected with others.
- c. What the potential is for exposure
- d. Areas for potential for exposure
- e. How exposure may happen
- f. Who needs to know?
- g. What will happen if there is a risk of exposure?

2.3. The team will consider the risk to others in the workplace, whether or not the individual is healthy enough to continue to attend school, and what precautions should be taken to ensure the safety and health of others.

- a. The identity of infected students will remain confidential and restricted to those who need to know or are required to be informed.

2.4. Decisions on attendance at school are dependent on the circumstances of each individual case. Regular evaluation of the appropriateness of attendance will be conducted.

2.5. The Board will be notified immediately when the team considers the health condition of a student to be a danger to the immediate health and welfare of a school, its students or employees of the Board.

- a. Upon being notified of the team's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

3. Employees

3.1. The Superintendent will be informed, by district staff as soon as is known, of any employee infected with an infectious blood borne disease.

3.2. Employees with an infectious blood borne disease, who are able to carry out the essential duties of their jobs in a satisfactory manner without posing a health or safety risk to themselves or others, will be entitled to continue their work.

3.3. Decisions regarding potential health or safety hazards will be made on a case-by-case basis in consultation with the employee, the personal physician and district personnel as appropriate.

3.4. The identity of infected employees will remain confidential and restricted to those who need to know or are required to be informed.

- 3.5. The Board will be notified immediately if the Superintendent considers the health condition of an employee to be a danger to the immediate health and welfare of a school, its students or other employees of the Board.
- a. Upon being notified of the Superintendent's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

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Comprehensive School Safety Plan

**2024-2025
School Year**

School: Lugonia Elementary School
CDS Code: 36-67843-6036537
District: Redlands Unified School District
Address: 202 E. Pennsylvania Avenue
Redlands, CA 92374
Date of Adoption: October 24, 2023
Date of Update: September 25, 2024
Date of Review:
- with Staff
- with Law Enforcement
- with Fire Authority

Approved by:

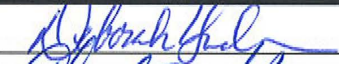







Name	Title	Signature	Date
Deborah A. Ynda	Assistant Principal		9/25/24
Claudia Brown	Teacher		9/25/24
Cynthia Cardoza	Teacher		9/25/24
Anne Preston	Teacher		9/25/24
Sheri Evans	Teacher		9/25/24
Cynthia Henrich	Teacher		9-25-24
Alejandra DeLeon	Parent		9/25/24
RaeMichelle Hatchett	Classified Staff, Office Manager		9/25/24

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Comprehensive School Safety Plan Purpose

Effective January 1, 2019, Assembly Bill 1747 (Rodriguez), School Safety Plans, became law. This bill requires that during the writing and development of the comprehensive school safety plan (CSSP), the school site council or safety committee consult with a fire department and other first responder entities in addition to currently required entities. It requires the CSSP and any updates made to the plan to be shared with the law enforcement agency, the fire department, and the other first responder entities.

The California Education Code (sections 32280-32288) outlines the requirements of all schools operating any kindergarten and any grades 1 to 12, inclusive, to write and develop a school safety plan relevant to the needs and resources of that particular school.

In 2004, the Legislature and Governor recast and renumbered the Comprehensive School Safety Plan provisions in SB 719 and AB 115. It is the intent of the Legislature in enacting the provisions to support California public schools as they develop their mandated comprehensive safety plans that are the result of a systematic planning process, that include strategies aimed at the prevention of, and education about, potential incidents involving crime and violence on school campuses.

The historical requirement of the Comprehensive School Safety Plan was presented in Senate Bill 187, which was approved by the Governor and chaptered in 1997. This legislation contained a sunset clause that stated that this legislation would remain in effect only until January 1, 2000. Senate Bill 334 was approved and chaptered in 1999 and perpetuated this legislation under the requirement of the initial legislation.

Comprehensive School Safety Plans are required under SB 719 & AB 115 and contains the following elements:

Assessment of school crime committed on school campuses and at school-related functions

- Child abuse reporting procedures
- Disaster procedures
- Suspension and expulsion policies
- Procedures to notify teachers of dangerous pupils
- Discrimination and harassment policies
- School wide dress code policies
- Procedures for safe ingress and egress
- Policies enacted to maintain a safe and orderly environment
- Rules and procedures on school discipline
- Hate crime reporting procedures

The Comprehensive School Safety Plan will be reviewed and updated by March 1st every year. In July of every year, the school will report on the status of its school safety plan including a description of its key elements in the annual school accountability report card.

A copy of the Comprehensive School Safety Plan is available for review at the school office at Lugonia Elementary School.

Safety Plan Vision

In 2024-2025, Lugonia Elementary School will:

- Provide a safe, orderly, and secure environment conducive to learning.
- Create a school in which pupils will attend regularly and be safe from both physical and psychological harm.
- Work collaboratively with the district office and school board to identify, establish, and use strategies and programs to comply with school safety laws.
- Develop a plan collaboratively with parents/guardians, pupils, teachers, administrators, counselors and community agencies, including law enforcement, to provide a safe and orderly school.
- Develop an academic program that will focus on high expectations of pupil performance and behavior in all aspects of the school experience.
- Work collaboratively with middle schools to assist in a smooth transition from one school level to another.
- Solicit the participation, views, and advice of teachers, parents/guardians, school administrators, and community members and use this information to promote the safety of our pupils, staff and community.

Components of the Comprehensive School Safety Plan (EC 32281)

Lugonia Elementary School Safety Committee

Assessment of School Safety

Lugonia has had no crimes reported for the 2023-2024 school year.

Strategies and Programs to Provide and Maintain a High Level of Safety (EC 32281(a)1, items A-J)

Introduction - School Profile

Lugonia Elementary School is one of twenty-four schools in the Redlands Unified School District with traditions dating back to 1877. Lugonia Elementary School has a diverse pupil student body and is served by a dedicated staff. Both staff and parents comment on the positive changes that are ongoing in our school.

Lugonia Elementary School faces challenges in maintaining a safe school. This section of the Comprehensive School Safety Plan will describe programs in place at our school as well as strategies and programs of our school site council for continued improvement in providing a safe, orderly, school environment conducive to learning.

School Crime Status and Reporting

Lugonia has had no crimes reported for the 2023-2024 school year.

Personal Characteristics of Pupil & Staff

(Additional Health and Welfare Data available from ICOE aggregated DAT surveys)

Lugonia Elementary School has an enrollment of 544 pupils in Grades PK-5. Pupils from this school come from families with 91.6% stability rate and 8.4% non-stability rate family mobility. Approximately 88.7% of the pupils are in families receiving Aid to Families with Dependent Children that are eligible for free/reduce lunches. The ethnic makeup of the pupil population is 73.2 % Hispanic, 10 % Black, 5.1 % Caucasian and Other is 11.7%. Our pupils have a variety of life experiences. Some pupils have recently arrived from foreign countries while others have never left their neighborhood.

Curriculum and Educational Activities

The course of study includes the basic core curriculum, physical education and enrichment classes such as ELOP, PE, music, and art.

Pupils have the opportunity to participate in activities both during school and after-school. These include Garden Club, Band, Orchestra, Accelerated Reader, English Language Development, ASES, Boys and Girls Club, ELOP, and ROARing leaders.

Staff provides opportunities and additional activities open to pupils in the areas of literacy and math tutoring.

(A) Child Abuse Reporting Procedures (EC 35294.2 [a] [2]; PC 11166)

Policy 5141.4: Child Abuse Prevention and Reporting

The Governing Board recognizes that the district has a responsibility to facilitate the prompt reporting of incidents of child abuse and neglect. The Superintendent or designee shall ensure that parents/guardians have access to procedures whereby they can report suspected child abuse at a school site to appropriate child protective agencies

The Superintendent or designee shall develop and implement regulations for use by employees in identifying and reporting child abuse

District employees shall report known or suspected incidents of child abuse in accordance with district regulations and state law. Employees shall cooperate with the child protective agencies responsible for reporting, investigating and prosecuting cases of child abuse.

(cf. 4112.9 - Signed Statements/Child Abuse Reporting Statements)

The Superintendent or designee shall provide training in child abuse identification and reporting for all certificated and classified personnel. (Penal Code 11165.7)

All employees trained in child abuse identification and reporting shall be given, as a part of that training, written notice of the child abuse reporting requirements and the employees' confidentiality rights. (Penal Code 11165.7)

In order to reduce or eliminate unfounded child abuse accusations directed at school employees, child abuse in service training shall include guidance in disciplining students and maintaining ethical relationships with them.

(cf. 3514 - Safety)

(cf. 5142 - Safety)

Duty to Report

Certificated employees and classified employees trained in child abuse identification and reporting shall report known or suspected child abuse to a child protective agency by telephone immediately or as soon as practically possible and in writing within 36 hours. The reporting duties are individual and cannot be delegated to another individual except under circumstances set forth in Penal Code 11166.

Definitions

Child Abuse includes the following:

1. A physical injury inflicted by other than accidental means on a child by another person.
2. Willful cruelty or unjustifiable punishment of a child, or willfully inflicting unjustifiable physical pain or mental suffering, or failure to safeguard a child from these injuries when the child is under a person's care or custody
3. Sexual abuse of a child
4. Neglect of a child or abuse in out-of-home care
5. Unlawful corporal punishment or injury resulting in a traumatic condition

Mandated Reporters are those people defined by law as child care custodians, health practitioners, child visitation monitors and employees of a child protective agency. Mandated reporters include virtually all school employees. The following school personnel are required to report:

Teachers, administrators, supervisors of child welfare and attendance, certificated student personnel employees, employees of care institutions, Headstart teachers, school psychologists, licensed nurses, counselors, presenters of child abuse prevention programs and those instructional aides or other classified employees trained in child abuse reporting.

Child Protective Agencies are those law enforcement and child protective services responsible for investigating child abuse reports, including the local police or sheriff department, county welfare or juvenile probation department and child protective services.

Reasonable Suspicion means that it is objectively reasonable for a person to entertain such a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his/her training and experience, to suspect child abuse. (Penal Code 11166)

Reporting Procedures

To report known or suspects child abuse, any employee (as defined above) shall report by telephone to the local child protective agency immediately. (Child Protective Services 921 County Center, 3 Court, Modesto, CA phone # 525- 6641)

The following information shall be given:

1. The name of the person making the report
2. The name of the child
3. The present location of the child
4. The nature and extent of any injury

Any other information requested by the child protective agency, including the information that led the mandated reporter to suspect child abuse.

When the verbal 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.

Within 36 hours of making the telephone report, the mandated reporter shall complete and mail to the local child protective agency a written report which includes a completed Department of Justice form (DOJ SS 8572).

Mandated reports may obtain copies of the above form either from the district or local child protective agency.

Instructions are included on the form, and reporters may ask the site administrator for help in completing and mailing it; however, the mandated reporter is personally responsible for ensuring that the written report is correctly filed.

Employees reporting child abuse to a child protective agency are encouraged, but not required, to notify the site administrator or designee as soon as possible after the initial verbal report by telephone. When so notified, the site administrator shall inform the Superintendent or designee.

Administrators so notified shall provide the mandated reporter any assistance necessary to ensure that reporting procedures are carried out in accordance with law and district regulations. At the mandated reporter's request, the principal may assist in completing and filing the form.

If the mandated reporter does not disclose his/her identity to a district administrator, he/she shall at least provide or mail a copy of the written report to the site administrator and the district without his/her signature or name.

Legal Responsibility and Liability

Mandated reporters have absolute immunity. School employees required to report are not civilly or criminally liable for filing a required or authorized report of known or suspected child abuse.

A mandated reporter who fails to report an instance of child abuse, which he/she knows to exist or reasonably should know to exist, is guilty of a misdemeanor and is punishable by confinement in jail for a term not to exceed six months or by a fine of not more than \$1,000 or both. The mandated reporter may also be held civilly liable for damages for any injury to the child after a failure to report

When two or more persons who are required to report have joint knowledge of suspected instance of child abuse, and when they so agree, the telephone report may be made by either of them and a single report made and signed by that person.

However, if any person who knows or should know that the person designated failed to make the report, that person then has a duty to make the report.

The duty to report child abuse is an individual duty and no supervisor or administrator may impede or inhibit such reporting duties. Furthermore, no person making such a report shall be subject to any sanction.

Victim Interview

Upon request, a child protective agency representative may upon request interview a suspected victim of child abuse during school hours, on school premises, concerning a report of suspected child abuse that occurred within the child's home. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. (Penal Code 11174.3)

A staff member or volunteer aide selected by a child may decline to be present at the interview. If the selected person accepts, the principal or designee shall inform him/her, before the interview takes place, of the following legal requirements:

1. The purpose of the selected person's presence at the interview is to lend support to the child and enable him/her to be as comfortable as possible.
2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the child.
4. The selected person is subject to the confidentiality requirements of the Child Abuse and Reporting Act, a violation of which is punishable as specified by Penal Code 11167.5.
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 or Child Protective Services Agent

When a child is released to a peace officer or child protective agency and taken into custody as a victim of suspected child abuse, the Superintendent and/or principal shall not notify the parent/guardian as required in other instances of removal of a child from school, but rather shall provide the protective agency with the address and telephone number of the child's parent/guardian. It is the responsibility of the peace officer or agent to notify the parent/guardian of the situation. (Education Code 48906)

Peace officer and child protective services agents will be asked to sign an appropriate release or acceptance of responsibility form.

(cf. 5145.11 - Questioning and Apprehension)

When School Employees are Accused of Child Abuse

Regardless of who child abusers may be, the major responsibilities of mandated reports are to 1) identify incidents of suspected child abuse, and 2) comply with laws requiring the reporting of suspected abuse to proper authorities. Determining whether or not the suspected abuse actually occurred is not the responsibility of the school employee. Such determination and follow-up investigation will be made by a child protective agency.

Pending outcome of an investigation by a child protective agency and before formal charges are filed, the employee may be subject to reassignment or a paid leave of absence.

Upon filing formal charges or upon conviction, the district may take disciplinary action in accordance with law, district policies, regulations and/or collective bargaining agreements. The Superintendent or designee shall seek legal counsel in connection with either the suspension or dismissal of the employee.

(cf. 4117.4 - Dismissal)
(cf. 4118 - Suspension/Disciplinary Action (Certificated))
(cf. 4218 - Suspension/Disciplinary Action (Classified))

Suspected Child Abuse Reporting Procedures

I. Initiating the Report

A. The report is initiated by a telephone report to the appropriate agency.

B. If the suspected child abuse has taken place within the family, call the Enter appropriate Agency Hotline at phone number, 1 (800) 827-8724

C. If the suspected child abuse has taken place outside the family, call the local police department at:

Highland Sheriff Police Department
Phone: (909) 425-9793

D. Content of call.

- 1) Name, address and age of child involved.
- 2) Clear description of suspected abuse.

II. Written Report

A. The telephone call is to be followed by completion of the Suspected Child Abuse Report (form 11166.P.C.). These forms are available in the Principal's office at the high school or you may access the form on line at:
http://ag.ca.gov/childabuse/pdf/ss_8572.pdf for a form or immediately call (909) 384-9233 to file a report.

B. The written report is to be addressed to the person to whom the telephone report was made.

C. The written report must follow the phone call within 36 hours.

1. Suspected child abuse within the family,
Agency: Children and Family Services
Address: 150 S. Lena Road, San Bernardino, California 92415

2. Suspected child abuse outside the family should be mailed to the agency to which the report was called -

Adopted: 10/2005
Highland Sheriff Police Department
Phone: (909)425-9793

The reporting party should keep the yellow copy of the Suspected Child Abuse Report form (SS8572) or verification of completion of the reporting obligation.

Caution:

1. The reporting responsibility has not been discharged until both the telephone call and written reports are complete.
2. School personnel are not to engage in any investigation of suspected cases. The investigation will be done by the child protective services office.
3. The reporting responsibility is an individual one which is NOT discharged by report to supervisors or administrators.

(B) Disaster Procedures (EC 35295-35297; GC 8607 and 3100)

Disaster Plan (See Appendix C-F)

Each classroom, office, library and room on campus has a posting of the emergency procedures near the exit door. Emergency procedures are also posted in each classroom notebook which is reviewed at the beginning of the school year for updates. Fire Drills are practiced each month of the school year. Earthquake drills are practiced four times a year and Lock Down drills are practiced yearly.

Public Agency Use of School Buildings for Emergency Shelters

(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines

Policy 5144.1: Suspension And Expulsion/Due Process

Suspension and Expulsion

The Governing Board recognizes that maintaining an environment which promotes learning and protects the health, safety, and welfare of all students may require the suspension or expulsion of a student from regular classroom instruction. District policies and school site rules shall clearly identify district behavior standards

(cf. 5144 - Discipline)

Except in cases where suspension for a first time offense is warranted in accordance with law, suspension shall be imposed only when other means of correction fail to bring about proper conduct. (Education Code 48900.5)

Expulsion is an action taken by the Board for severe or prolonged breaches of discipline by a student. Except for single acts of a grave nature, expulsion is usually used only when there is a history of misconduct, when other forms of discipline, including suspension, have failed to bring about proper conduct, or when the student's presence causes a continuing danger to other students. (Education Code 48915)

The grounds for suspension and expulsion and the procedures for considering, recommending and/or implementing suspension and expulsion shall be specified in Administrative Regulation.

Each principal shall annually inform all students and parents/guardians of the school's discipline rules and procedures and of the availability of all district policies and regulations dealing with student discipline, suspension and expulsion. (Education Code 35291, 35291.5)

(cf. 5145.6 - Parental Notifications)

Suspended or expelled students shall be excluded from all school-related extracurricular activities during the suspension or expulsion.

cf. 6145 - Extracurricular and Cocurricular Activities)

Zero Tolerance

The Board supports a zero tolerance approach to serious offenses in accordance with state and federal law. This approach makes the removal of potentially dangerous students from the classroom a top priority and ensures the standardized treatment of all students. Staff shall immediately report to the Superintendent/ designee any incidence of offenses specified in law, Board policy, and administrative regulation as cause for suspension or expulsion.

Student Due Process

The Board shall provide for the fair treatment of students facing suspension and expulsion by affording them their due process rights under the law. The administration and staff shall comply with procedures for notices and appeals as specified in regulation. Procedures governing student due process shall conform in all aspects to provisions in law. (Education Codes 48911, 48915 and 48915.5)

Whenever a student is suspended, school officials may (but are not required to) meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

cf. 5119 - Students Expelled from Other Districts

(cf. 5144.2 - Suspension and Expulsion/Due Process - Individuals with Exceptional Needs)

Rights of Complaining Witness

An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental or emotional needs of a student who is the complaining witness. (Education Code 48918.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Educational Code 48918.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies
3. Have a closed hearing during the time he/she testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48918.5)

On-Campus Suspension Program

The Board recognizes that students who are suspended from school frequently have no supervision or guidance during the school hours when they are off campus. The Board believes that in many cases, instead of sending the student off campus, it would be better to address the student's misconduct by keeping the student at school and providing him/her with supervision that is separated from the regular classroom.

The Superintendent or designee shall examine alternatives to off-campus suspension and may establish a suspension program which involves progressive discipline during the school day on campus; using conferences between staff, parents/guardians and students; detention; student study teams or other assessment-related teams; and/or referral to school support services staff.

Required Parental Attendance

The Board believes that parental involvement plays an important role in the resolution of classroom behavior problems. The Board expects that teachers will communicate with parents/guardians when behavior problems arise

Whenever a student is suspended from a class because he/she committed an obscene act, engaged in habitual profanity or vulgarity, disrupted school activities or otherwise willfully defied valid staff authority, the teacher of the class from which the student was suspended may require the student's parent/guardian to attend a portion of a school day in that class. After completing the classroom visit and before leaving school premises, the parent/guardian also shall meet with the principal or designee. (Education Code 48900.1)

The Board encourages teachers, before requiring parental attendance, to make reasonable efforts to have the parent/guardian visit the class voluntarily. The teacher also may consider informing the parent/guardian about available resources which may provide help in the development of parenting skills. Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the student and the parent/guardian and to improve classroom behavior.

Parental attendance may be required on the day the student returns to class or within one week thereafter. The principal or designee shall contact any parents/guardians who do not respond to the request to attend school. The Board recognizes that parental compliance with this policy may be delayed, modified or prevented by serious illness/injury/disability, absence from town, or inability to get certain release time from work.

The teacher shall apply this policy uniformly to all students within the classroom. This policy shall apply only to a parent/guardian who actually lives with the student. (Education Code 48900.1)

District regulations and school-site rules for student discipline shall include procedures for implementing parental attendance requirements.

Parents/guardians shall be notified of this policy before it is implemented and at the beginning of each subsequent school year. (Education Code 48900.1, 35291, 48980)

Decision Not to Enforce Expulsion Order

In cases where expulsion is mandatory pursuant to Education Code 48915(c), the enforcement of an expulsion order shall not be suspended by the Board. In all other cases of expulsion, the order for expulsion may be suspended by the Board, on a case-by-case basis, pursuant to the requirements of law.

Definitions

Suspension from school means removal of a student from on going 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, nor referral to a certificated employee designated by the principal to advise students, nor removal from the class without reassignment to another class or program for the remainder of the period, without sending the student to the principal or designee.

2. Removal from a particular class shall not occur more than once every five school days. (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)

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

School property, for the purposes described in Education Code 48900, includes, but is not limited to, electronic files and databases. (Education Code 48900(s))

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, suspension and expulsion. Transfer students and their parents/guardians shall be notified at the time of enrollment. (Education Code 35291.5, 48900.1, 48980)

(cf. 5144 -Discipline)

(cf. 5145.6 Parental Notifications)

Notification shall include information about the ongoing availability of individual school rules and all district policies and regulations pertaining to student discipline. (Education Code 35291)

(cf. 5145.6 -Parental Notifications)

Grounds for Suspension and Expulsion

Students may be suspended or recommended for expulsion when the Superintendent, principal, or principal's designee at the school in which the student is enrolled determines that the student has done any of the acts listed below:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense. (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However, a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code Board Policy Manual Redlands Unified School District 48900(s))

2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48900(b))

(cf. 5 131 - Conduct)

(cf. 5131. 7 - Weapons and Dangerous Instruments)

3. Unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of, any controlled substance as defined in the Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind. (Education Code 48900(c))

(cf. 5131.6 -Alcohol and Other Drugs)

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance or material and represented same as controlled substance, alcohol beverage or intoxicant. (Education Code 48900(d))

5. Committed or attempted to commit robbery or extortion. (Education Code 48900(e))

6. Caused or attempted to cause damage to school property or private property. (Education Code 48900(f))

7. Stole or attempted to steal school property or private property. (Education Code 48900(g))

8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products with prior approval of the principal or designee. (Education Code 48900(h))

9. Committed an obscene act or engaged in habitual profanity or vulgarity. (Education Code 48900(i))

10. Unlawfully possessed, or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code. (Education Code 48900(j))

11. Disrupted school activities or otherwise willfully defied 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))

12. Knowingly received stolen school property or private property. (Education Code 48900(1))
13. Possessed an imitation firearm, i.e., 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))
14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code 243.4. (Education Code 48900(n))
15. 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))
16. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug soma. (Education Code 48900(p))
17. Engaged in, or attempted to engage in, hazing as defined in Education Code 32050. (Education Code 48900(q))
18. Made terrorist threats against school officials and/or school property. (Education Code 48900.7)

A student in grades 4 through 12 is also subject to suspension or recommendation for expulsion when it is determined that he/she:

19. Committed sexual harassment as defined in Education Code 212.5. (Education Code 48900.2)
20. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 33032.5. (Education Code 48900.3)
21. 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 Glasswork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment (Education Code 48900.4)

(cf. 5145.3 -Nondiscrimination/Harassment)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent/principal or within any other school district, including but not limited to the following circumstances:

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.

The Superintendent/principal may use his/her discretion to provide alternatives to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program. (Education Code 48900(r))

cf. 5138 -Conflict Resolution/Peer Mediation)

Alternatives to suspension or expulsion will be used against students who are truant, tardy, or otherwise absent from assigned school activities.

(cf. 5113 -Absences and Excuses)

(cf. 5113.1 - Truancy)

Suspension from Class by a Teacher/Parental Attendance

A teacher may suspend any student from the teacher's class for any of the acts listed under "Grounds for Suspension and Expulsion" above for the day of the suspension and the day following. (Education Code 48910)

Suspension from class means the removal of a student from class by a teacher for the day of the suspension and the next day. A teacher may suspend a student from class and may also refer a student for consideration of suspension from school for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

When suspending a student from his/her class, the teacher shall immediately report this action to the principal and send the student to the principal for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been suspended.

As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the suspension. A counselor or psychologist should attend the conference if it is practicable, and a school administrator may attend if either the parent/guardian or teacher so request.

A suspended student shall not be returned to class during the period of suspension without the approval of the teacher of the class and the principal. (Education Code 48910)

A student suspended from class shall not be placed in another regular class during the period of suspension. However, if a student is assigned to more than one class per day, he/she may be placed in any 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 suspended student to complete any assignments and tests missed during the suspension. (Education Code 48913)

When a teacher requires a parent/guardian to attend school in accordance with Board Policy, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is required pursuant to law. (Education Code 48900.1)

1. This notice shall also tell the parent/guardian when his/her presence is expected and by what means he/she may arrange any necessary change.
2. The notice shall describe the protections afforded to the parent/guardian as an employee by Labor Code 230.7.
3. The notice shall state that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student.

The teacher shall remind the parent/guardian to meet with the principal or designee after completing the classroom visit and before leaving school premises.

Suspension By Superintendent, Principal Or Principal's Designee

A Superintendent, principal, or principal's designee may suspend a student from a school for any of the acts listed under "Grounds for Suspension and Expulsion" above for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

The Superintendent or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife, as defined in Education Code 48915(g), at another person.

3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.

4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item 414 under "Grounds for Suspension and Expulsion" above.

5. Possession of an explosive as defined in 18 USC 921.

Suspension may be imposed upon a first offense if the Superintendent, principal or designee determines the student violated items (i) - (v) listed in "Grounds For Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903 and 48912)

Suspension Procedures

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the principal or designee or the Superintendent or designee between 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 and the evidence against him/her and shall be given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911(b))

This conference may be omitted if the principal, designee or the Superintendent or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or school personnel. If the pre-suspension conference is not held, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference will be held as soon as the student is physically able to return to school. (Education Code 48911(c))

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior

A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee, who in turn will inform the Board.

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 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 also state the date and time when the student may return to school.

Should school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may also add that state law requires the parent/guardian to respond to such request without delay.

4. Parent/Guardian Conference: Whenever a student is suspended, school officials may meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such conference. The student may not be denied readmission solely because the parent/guardian failed to attend. (Education Code 48911)

5. Extension of Suspension: If the expulsion of a suspended student is being considered by the Board, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision. (Education Code 48911(g))

Any extension of the original period of suspension shall be 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. Extension of the suspension may be made only if 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(g))

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal or Principal's 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 if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. 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 may hold closed sessions if a public hearing would lead to disclosure of information which would violate a student's right to privacy under Education Code 49073-49079.

(cf. 9321 -Closed Session Purposes and Agendas)

The Board shall provide the student with written notice of the closed session by registered or certified mail. Upon receiving this notice the student 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 shall be in closed session. (Education Codes 48912)

Authority to Expel

A student may be expelled only by the Board. The Board shall expel, as required by law, any student found to have committed certain offenses listed below under "Mandatory Recommendation and Mandatory Expulsion."

The Board may also order a student expelled for any of the acts listed above under "Grounds for Suspension and Expulsion" upon recommendation by the principal, Superintendent, hearing officer or administrative panel, based on finding either or both of the following: (Education Code 48915(b) and (e))

1. That other means of correction are not feasible
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

Mandatory Recommendation For Expulsion

The principal, Superintendent or designee shall recommend a student's expulsion for any of the following acts, unless the principal or Superintendent or designee finds, and reports in writing to the Board, that expulsion is inappropriate due to particular circumstances which shall be set out in the report of the incident:

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife as defined in Education Code 48915(g), explosive 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 the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee.

Mandatory Recommendation And Mandatory Expulsion

The principal, Superintendent or designee shall recommend that the Board expel any student found at school or at a school activity off school grounds to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48915(c).1)
2. Brandishing a knife as defined in Education Code 48915(g) at another person. (Education Code 48915(c).2)
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058. (Education Code 48915(c).3)
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above. (Education Code 48915(c).4)
5. Possessing an explosive as defined in 18 USC 921.

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

Student's Right to Expulsion Hearing

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred. (Education Code 48918(a))

The student is entitled to 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 district's discretion. (Education Code 48918(a))

If the district finds it impracticable 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))

Once the hearing starts, all matters shall be pursued with reasonable diligence and concluded without unnecessary delay. (Education Code 48918(a))

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 48915.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Education Code 48915.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing.

2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies.
3. Have a closed hearing during the time he/she testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48915.5)

Written Notice of the Expulsion Hearing

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least ten 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. A parent/guardian of a student expelled for acts described in paragraphs through 4 of Education Code 48915(a), seeks enrollment in another district they must inform the new district of the students status with the expelling district, pursuant to Education Code 48915.1.

(cf. 5119 -Students Expelled from Other Districts)

5. The opportunity for the student or the student's parent/guardian to appear in person or to employ and be represented by counsel.
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.

Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and Education Code 35145, the Board shall conduct the hearing or arrange for an alternative 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 request is made, the meeting shall be public

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to deliberate and determine if the student should be expelled. If the Board admits any other person to the closed session, the parent/guardian, the student, counsel of the student and counsel of the parent/guardian shall also be allowed to attend the closed session. (Education Code 48918(c))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to have his/her testimony heard in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including but not limited to videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

2. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, so long as a reasonably accurate written and complete transcription of the proceedings can be made. (Education Code 48918(g))

3. Presentation of Evidence: While technical rules of evidence do not apply to such hearings, 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 must be supported by substantial evidence that the student committed any of the above acts listed under "Grounds for Suspension and Expulsion" above. Findings of fact shall be based solely on the evidence at the hearing.

While no evidence 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) and

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 Witness: The following procedures shall be observed when hearings involve allegations of sexual assault or sexual battery by a student: (Education Code 48918)

- a. Any complaining witness shall be given five days' notice before being called to testify.
- b. Any complaining witness shall be entitled to have up to two adult support persons, including but not limited to a parent/guardian or legal counsel, present during his/her testimony.
- c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- e. If one or both support persons are also witnesses, the hearing shall be conducted according to Penal Code 868.5.
- f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard.

Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.

g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.

(1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.

(2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.

(3) The person conducting the hearing may:

- (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness.
- (b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
- (c) Permit one of the support persons to accompany the complaining witness to the witness stand.

6. Decision Within Ten Days: The Board's decision on whether to expel a student shall be made within ten school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

7. Decision Within 40 Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative 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. Alternatively, the Board may 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(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified in "Conduct of Expulsion Hearing" above.

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 student shall be immediately reinstated. (See "Reinstatement" below.) The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers and with the student's parent/guardian. (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))

The hearing officer or administrative panel may recommend that the Board suspend the expulsion for a period of one year. (See "Suspension of Expulsion" below.)

The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Stipulated Expulsions

It is the policy of the Redlands Unified School District that, where approved by the Superintendent or designee, parents/guardians may agree to the expulsion of their pupil by stipulation without necessity of a hearing. This process will expedite the pupil's school placement and may expedite the rehabilitation process.

A stipulated expulsion must be purely voluntary. No district administrator or staff member may coerce a pupil, parent or guardian into entering into such a stipulation. Parents/guardians will be given three calendar days to decide on a stipulated expulsion agreement.

If the parent/guardian requests a stipulated expulsion, the Superintendent or designee will promulgate the stipulated agreement. If at any time the parent/guardian decides not to pursue a stipulated agreement, the expulsion proceedings and timelines, extended by the length of the period for consideration of the stipulation, will be reinstated. The stipulated agreement will be presented to the Board for final consideration.

The stipulated agreement will include the terms and conditions of the expulsion order, including alternative placement and a rehabilitation plan to be completed before the student can be re-admitted to the district.

Final Action by the Board

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel, the final action to expel must be taken by the Board at a public meeting. (Education Code 48918(f)) The Board shall maintain a record of each expulsion, including its cause. Expulsion records shall be non-privileged, disclosable public records.

(cf. 9321.1 - Closed Session Actions and Reports)

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

Upon ordering the 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 an act listed under "Mandatory Recommendation and Mandatory Expulsion" above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. (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 of the student at the time of review for readmission.
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service and other rehabilitative programs.
3. Such other recommendations as the Board approves.

With parental 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)

Upon expulsion, a copy of readmission procedures will be made available to the student and his/her parent/guardian.

Written Notice to Expel

The Superintendent or designee shall send written notice of the decision to expel to the student or parent/guardian. The notice shall include the following:

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed in Education Code 48900(a)-(o), Education Code 48900.2-48900.4 and Education Code 48915(c). (Education Code 48900.8)
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian. (Education Code 48916)
3. Notice of the right to appeal such expulsion to the County Board of Education. (Education Code 48918)
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion. (Education Code 48918)
5. The notice also shall inform the student or parent/guardian of his/her 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)

Suspension of Expulsion

The Board, upon voting to expel a student, may suspend the enforcement of the expulsion order for not more than one calendar year. When deciding whether to suspend an expulsion, the Board shall take into account the following criteria:

1. The student's previous behavior.
2. The seriousness of the misconduct.
3. The student's attitude toward the misconduct and his/her willingness to follow a rehabilitation program.

The suspension of the enforcement of an expulsion shall be governed by the following: (Education Code 48917)

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.
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status.
3. The suspension of expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion" above or violates any of the district's rules and regulations governing student conduct.
4. When suspension of expulsion order is revoked, a student may be expelled under the terms of the original expulsion order
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expungement of any or all records of the expulsion proceedings.
6. Suspension 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 of Education.
7. 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 also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education. (Education Code 48918(i))

Right to Appeal

The student or parent/guardian is entitled to file an appeal of the Board's decision to the County Board of Education.

The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion action is suspended and the student is placed on probation. (Education Code 48919)

Post-Expulsion Placements

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 such a site.
3. Not housed at the school site attended by the student at the time of suspension.

(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for acts described in items #6 through # 13 and # 17 through # 19 under "Grounds for Suspension and Expulsion" above may be instead referred to a program of study that is provided at another comprehensive middle, junior, or senior high school, or at an elementary school.

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)

Reinstatement

When the Board accepts a recommendation against expulsion or makes its own decision after the hearing not to expel, the decision is final and the student shall be reinstated immediately. The Superintendent or designee shall place the student in any classroom program, other instructional program, rehabilitation program, or any combination of such programs following consultation with district personnel, including the teacher involved, and with the student's parent/guardian. (Education Code 48918(e))

Readmission

An expulsion order shall remain in effect until the Board may order the readmission of the student.

Readmission procedures shall be as follows:

1. A written request for review of expulsion action and request for readmission shall be submitted by the parent/guardian to the Superintendent or designee.
2. The Superintendent or designee will hold a conference with the parent/guardian and the student.
3. At the conference the conditions for readmission will be reviewed. The Superintendent or designee shall verify that the rehabilitation plan has been met.
4. School regulations will be reviewed and the student and parent/guardian will be asked to indicate in writing their willingness to comply with these regulations.
5. The Superintendent or designee will transmit the request for readmission to the Board, along with his/her recommendation. The Board shall consider the request in closed session if the information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it will be honored.
6. The Superintendent or designee will notify the student or parent/guardian, by registered mail, of the district's decision regarding readmission.
7. 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)
8. 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. (Education Code 48916)
9. 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)

Maintenance of Records

The Board will maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls, within five days of a written request by the admitting school. (Education Code 48900.8, 48918(k))

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district. (Education Code 48915.1)

cf. 5119 - Students Expelled from Other Districts)

(cf. 5125 - Student Records)

Notifications and Reports

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering or sale of controlled substances, alcohol, or intoxicants of any kind.

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 also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

Outcome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion.
2. The specific grounds for each recommended expulsion.
3. Whether the student was subsequently expelled.
4. Whether the expulsion order was suspended.
5. The type of referral made after the expulsion.
6. The disposition of the student after the end of the expulsion period.

Suspension and Expulsion/Due Process

Redlands Unified
Administrative Regulation
AR 51441
Adopted June 27, 1995
Students

Definitions

Suspension from school 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. Removal from a particular class shall not occur more than once every five school days.

Expulsion means removal of a student from the immediate supervision and control, or the general supervision, of school personnel. (Education Code 48925)

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian or legal counsel. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

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, suspension and expulsion. Transfer students and their parents/guardians shall be notified at the time of enrollment. (Education Code 35291.5, 48900.1, 48980)
(cf. 5144 - Discipline)

Notification shall include information about the ongoing availability of individual school rules and all district policies and regulations pertaining to student discipline. (Education Code 35291)
(cf. 5145.6 - Parental Notifications)

Grounds for Suspension and Expulsion

A student may be subject to suspension or expulsion when it is determined that he/she:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense. (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aide or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code 48900(s))

2. Possessed, sold, or otherwise furnished any firearm. Knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48900(b))
(cf. 5131 - Conduct)
(cf. 5131.7 - Weapons and Dangerous Instruments)

3. Unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of, any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind. (Education Code 48900(c))
(cf. 5131.6 - Alcohol and Other Drugs)

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid, substance or material and represented same as controlled substance, alcohol beverage or intoxicant. (Education Code 48900(d))

5. Committed or attempted to commit robbery or extortion. (Education Code 48900(e))

6. Caused or attempted to cause damage to school property or private property. (Education Code 48900(f))

7. Stole or attempted to steal school property or private property. (Education Code 48900(g))

8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products (Education Code 48900(h))

9. Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))

10. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5. (Education Code 48900(j))

11. Disrupted school activities or otherwise willfully defied 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))

12. Knowingly received stolen school property or private property. (Education Code 48900(l))

13. Possessed an imitation firearm, i.e., 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))

14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code 243.4. (Education Code 48900(n))

15. 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))

16. Made terrorist threats against school officials and/or school property. (Education Code 48900.7)

Pursuant to Education Code 48900.7, the making of a terrorist threat includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person or property damage in excess of \$1,000.00, 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.

A student in grades 4 through 12 is also subject to suspension or recommendation for expulsion when it is determined that he/she:

17. Committed sexual harassment as defined in Education Code 212.5. (Education Code 48900.2)

Pursuant to Education Code 48900.2 the conduct constitutes harassment when considered from the perspective of a reasonable person of the same gender as the victim to be 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.

(cf. 5145.7 - Sexual Harassment)

18. 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)

(cf. 5145.9 - Hate-Motivated Behavior)

Education Code 233 defines "hate violence" as any act punishable under Penal Code 422.6, 442.7 or 422.75. Such acts include injuring or intimidating another person, interfering with the exercise of a person's civil rights, or damaging a person's property because of the person's race, color, religion, ancestry, national origin, disability, gender or sexual orientation.

19. Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading student rights by creating an intimidating or hostile educational environment. (Education Code 48900.4)

(cf. 5145.3 - Nondiscrimination/Harassment)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent or principal or within any other school district, including but not limited to the following circumstances: (Education Code 48900)

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.

The Superintendent or principal may use his/her discretion to provide alternative to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program. (Education Code 48900(r))

Alternatives to suspension or expulsion will be used with students who are truant, tardy, or otherwise absent from assigned school activities.

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Truancy)

Removal from Class by a Teacher/Parental Attendance

A teacher may suspend any student from his/her class for the remainder of the day and the following day for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

A teacher also may refer a student to the principal or designee for consideration of suspension from school. (Education Code 48910)

When removing a student from his/her class, the teacher shall immediately report this action to the principal and send the student to the principal for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been removed.

As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the removal. A counselor or psychologist should attend the conference if it is practicable, and a school administrator may attend if either the parent/guardian or teacher so requests.

A student removed from class shall not be returned to class during the period of removal without the approval of the teacher of the class and the principal. (Education Code 48910)

A student removed from class shall not be placed in another regular class during the period of removal. However, if a student is assigned to more than one class per day, he/she may be placed in any other regular classes except those held at the same time as the class from which the student was removed. (Education Code 48910)

The teacher of any class from which a student is removed may require the student to complete any assignments and tests missed during the removal. (Education Code 48913)

Pursuant to Board policy, a teacher may provide that the parent/guardian of a student whom the teacher has removed attend a portion of a school day in his/her child's classroom. When a teacher makes this request, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is requested pursuant to law. (Education Code 48900.1)

This notice shall also:

1. Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternate date.
2. Describe the legal protections afforded to the parent/guardian as an employee under Labor Code 230.7.
3. State that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student.
4. Ask the parent/guardian to meet with the principal after the visit and before leaving school, as required by Education Code 48900.1.

Suspension by Superintendent, Principal or Principal's Designee

The Superintendent, principal or principal's designee may suspend a student from a school for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

The Superintendent or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife, as defined in Education Code 48915(g), at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion".
5. Possession of an explosive as defined in 18 USC 921.

Suspension also may be imposed upon a first offense if the Superintendent, principal or designee determines the student violated items #1-5 listed in "Grounds for Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903, 48912)

The Superintendent or designee may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which a student may be suspended in any school year. (Education Code 48903)

Suspensions shall be initiated according to the following procedures:

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the principal, designee or the Superintendent 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 and the evidence against him/her; the student shall be given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911(b))

This conference may be omitted if the principal, designee or the Superintendent determines that an emergency situation exists. An "emergency situation" involves 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 a conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference will be held as soon as the student is physically able to return to school. (Education Code 48911(c))

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee.

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 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 also state the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may add that state law requires the parent/guardian to respond to such requests without delay.

4. Parent/Guardian Conference: Whenever a student is suspended, school officials may meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such conference. The student may not be denied readmission solely because the parent/guardian failed to attend. (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. (Education Code 48911(g))

Any extension of the original period of suspension shall be 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. Extension of the suspension may be made only if 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)

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal or Principal's 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 if any of the acts listed in “Grounds for Suspension and Expulsion” occurred. 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 closed sessions if a public hearing would lead to disclosure of information violating a student’s right privacy under Education Code 49073-49079.

(cf. 9321 - Closed Session Purposes and Agendas)

The Board shall provide the student and his/her parent/guardian with written notice of the closed session by or certified mail. 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 Codes 35146, 48912)

On-Campus Suspension Program

Students for whom an expulsion action has not been initiated and who pose no imminent danger or threat to the school may be assigned to a separate, supervised suspension classroom for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

1. The supervised suspension classroom shall be staffed in accordance with law.
2. The student shall have access to appropriate counseling services.
3. The supervised suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.
4. Each student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom. The teacher 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 a supervised 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 shall be made in writing. (Education Code 48911.1)

Authority to Expel

A student may be expelled only by the Board. The Board shall expel, as required by law, any student found to have committed certain offenses listed below under “Mandatory Recommendation and Mandatory Expulsion.”

The Board also may order a student expelled for any of the acts listed under “Grounds for Suspension and Expulsion” upon recommendation by the principal, Superintendent, hearing officer or administrative panel, based on finding 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.

Mandatory Recommendation for Expulsion

Unless the principal, Superintendent or designee finds that expulsion is inappropriate due to particular circumstances, the principal, Superintendent or designee shall recommend a student’s expulsion for any of the following acts: (Education Code 48915 (a))

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife as defined in Education Code 48915(g), explosive or other dangerous object of no reasonable use to the student.
3. Unlawful possession of any controlled substance, as listed in the Health and Safety Code 11053-11058, except for the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee.

Mandatory Recommendation and Mandatory Expulsion

Note: The Attorney General has determined, in 80 Ops.Cal. Atty. Gen. 347 (1997), that a district may not adopt a zero tolerance policy mandating expulsion of a student for a first offense of possession of a controlled substance or alcohol.

The principal, Superintendent or designee shall recommend that the Board expel any student found at school or at a school activity to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife as defined in Education Code 48915(g) at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above.
5. Possessing an explosive as defined in 18 USC 921.

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

The initial recommendation for consideration of expulsion is that of the school principal or the Superintendent. Designees may not make this type of recommendation.

The recommendation for consideration of expulsion shall be submitted to the Director, Office of Student Services, who will review the material and recommend:

1. Reassignment to appropriate regular education program.
2. Refer student to Alternative Program; i.e., Community School, Independent Study, Continuation or Opportunity School, or other district programs.
3. Refer the matter to the Discipline Review Panel for further consideration.

When a case is referred to the discipline Review Panel, the panel shall question school personnel who have information on the incident and the behavior record of the student charged and weighs the evidence presented.

The panel shall, in the case of an expulsion consideration, weigh information presented to determine:

- a. Is the evidence sufficient to support consideration by the expulsion panel?
- b. Has the district, through the schools involved, considered or utilized alternatives to expulsion when possible?
- c. Have due process procedures been adhered to?

The recommendation shall be either to proceed with the expulsion or to utilize an existing practical alternative in lieu of expulsion.

If the district (school) has not adhered to due process requirements, the student shall be returned to school immediately.

If the Discipline Review Panel meets to consider a matter other than an expulsion, it shall provide its best judgment as to an effective alternative program or plan to action.

The recommendation of the Discipline Review Panel shall be forwarded to the Director, Office of Student Services, who shall then review the facts, concur, veto or modify the recommendation.

4. That an expulsion panel be convened.

At the time a recommendation for expulsion is submitted, a hearing shall be scheduled by the Superintendent or designee to determine whether the suspension shall be extended. If the decision is to extend the suspension, the period of time shall be until the Board has rendered a decision or until the expulsion process is otherwise terminated.

The extension of suspension shall be based upon determination by the Superintendent or designee that the presence of the student at the school or in an alternative school placement would cause a danger to persons or property or a threat of disrupting the instructional process. This extension shall be imposed only after the student and the parent/guardian have been given the opportunity to be present at a hearing conducted by the Superintendent or designee. At this time, the student and parent/guardian shall be given the opportunity to be heard and present any information that might bear upon the decision.

Materials which support the decision of the person recommending the expulsion shall be prepared and submitted to the Office of Student Services. The departments of Attendance, Guidance, Special Education and/or Health may be requested to assist in the preparation of this material.

Student's Right to Expulsion Hearing

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred. (Education Code 48918 (a))

The student is entitled to 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 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 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 no 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))

Waiver of Hearing (Default Proceedings)

If the parent/guardian agrees that their son/daughter behaved essentially in the manner stated in the principals letter recommending expulsion and that such behavior constitutes a violation of the California Education Code, Section 48900, 48900.2, 48900.3, 48900.4, 48900.7 and/or 48915 a suspendable/expellable offense, the parent/guardian may request to waive the Administrative Hearing Panel.

When the parent/guardian agrees to waive the Administrative Hearing Panel, they also waive all notification and timelines related to the expulsion hearing process, along with their rights to appeal the determination of the Board.

The signed affidavit and findings of fact will be submitted to the Board for their approval. The Board has the discretionary power to accept, reject, or modify all recommendations.

Rights of Complaining Witness

An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental or emotional needs of a student who is the complaining witness. (Education Code 48918.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to all the following: (Education Code 48918.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing.
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies.
3. Have a closed hearing during the time he/she testifies.

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48918.5)

Written Notice of the Expulsion Hearing (Education Code 48918(b))

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least 10 calendar days before the date of the hearing. The notice shall include: (Education Code 48900.8, 48918 (b))

1. The date and place of the hearing.
2. A statement of the specific facts, charges and offense upon which the proposed expulsion is based.
3. A copy of district disciplinary rules which relate to the alleged violation.
4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment. This obligation applies when a student is expelled for acts other than those described in Education Code 48915 (a) or (c).
(cf. 5119 - Students Expelled from other Districts)

5. The opportunity for the student or the student's parent/guardian to appear in person and/or be represented by legal counsel or by a non-attorney advisor.

Legal counsel means an attorney or lawyer who is admitted to the practice of law in California and is an active member of the State Bar of California.

Non-attorney advisor 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.

Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and 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 request is made, the meeting shall be public, unless another student's privacy rights would be violated.

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to determine if the student should be expelled. If the Board admits any other person to the closed session, the parent/guardian, the student, and the counsel of the student, shall also be allowed to attend the closed session. (Education Code 48918(c))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to have his/her testimony heard in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including but not limited to videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

2. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate written and complete transcription of the proceedings can be made. (Education Code 48918(g))

3. Subpoenas: Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with the Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20, formerly 11525. (Education Code 48918(i))

Any objection raised by the student or the Superintendent or designee to the issuance of subpoenas may be considered by the Board in closed session, or in open session if so requested by the student, before the meeting. The Board's decision in response to such an objection shall be final and binding. (Education Code 48918(i))

If the Board determines, or if the hearing officer or administrative panel finds and submits to the Board, that a witness would be subject to unreasonable risk of harm by testifying at the hearing, a subpoena shall not be issued to compel the personal attendance of that witness at the hearing. However, that witness may be compelled to testify by means of a sworn declaration as described in item #4 below. (Education Code 48918(i))

4. Presentation of Evidence: While technical rules of evidence do not apply to expulsion hearings, 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 must be supported by substantial evidence that the student committed any of the acts listed in "Grounds for Suspension and Expulsion" above.

Findings of fact shall be based solely on the evidence at the hearing. While no evidence 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) and (h))

In cases where a search of a student's person or property has occurred, evidence describing the reasonableness of the search shall be included in the hearing record.

5. Testimony by Complaining Witnesses: The following procedures shall be observed when hearings involve allegations of sexual assault or sexual battery by a student: (Education Code 48918)

- a. Any complaining witness shall be given five days' notice before being called to testify.
- b. Any complaining witness shall be entitled to have up to two adult support persons, including but not limited to a parent/guardian or legal counsel, present during his/her testimony.
- c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- e. If one or both support persons are also witnesses, the hearing shall be conducted according to Penal Code 868.5.
- f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.
- g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.
 - (1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.
 - (2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.
 - (3) The person conducting the hearing may:
 - (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness.
 - (b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
 - (c) Permit one of the support persons to accompany the complaining witness to the witness stand.

6. Decision Within 10 Days: The Board's decision on whether to expel a student shall be made within 10 school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

7. Decision Within 40 Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

Instead of conducting an expulsion hearing itself, the Board may contract with the county hearing officer or with the Office of Administrative Hearings of the State of California for a hearing officer. Alternatively, the Board may 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(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified in "Conduct of Expulsion Hearing."

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 student shall be immediately reinstated. (See "Reinstatement.") The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers, and with the student's parent/guardian. (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 for a period of one year. (See "Decision Not to Enforce Expulsion Order" below.)

The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

The Discipline Review Panel

The Discipline Review Panel will consist of elementary educators when a review is being made of an elementary student and of secondary educators when a review is being made of secondary student.

1. The Discipline Review Panel shall hear the following types of disciplinary cases:
 - a. Requests for expulsion from site principals or the Superintendent.
 - b. School site administrative requests for assistance (non-expulsion situations).
2. Each discipline review panel shall consist of three certificated persons plus a chairperson and shall consist of elementary educators when a review is being made of an elementary student and of secondary educators when a review is being made of a secondary student. A panelist may not serve on any panel involving a student who is currently attending the school in which he/she is assigned. A representative from Student Services shall be a nonvoting member of each panel.

A chairperson and assistant chairperson, to serve when the chairperson is unable to serve, shall be appointed by the Superintendent or designee and shall serve at his/her pleasure. Neither shall be a member of the Student Services staff.

A pool of panelists shall be established which shall be composed of personnel who have served or are currently serving as members of administrative expulsion panels. The committee chairman shall select members to serve on individual panels.

The meetings of the discipline review panel are open to school district personnel only.

The duties of the Discipline Review Panel are as follows:

1. The chairperson shall call a meeting of the panel as soon as possible, but no later than 10 school days after the receipt of notice of a pending case.
2. A recommendation must be forwarded to the Director, Office of Student Services, within three days of the review hearing.
3. In the event a member of the committee cannot be present at a meeting, the Director, Office of Student Services, will appoint an alternate from the pool to attend.

Final Action by the Board

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel, the final action to expel shall be taken by the Board at a public meeting. (Education Code 48918(j))

(cf. 9321.1 - Closed Session Actions and Reports)

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

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 an act listed under “Mandatory Recommendation and Mandatory Expulsion” above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. (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 of the student at the time of review for readmission.
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service and other rehabilitative programs.

With parental 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 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 in Education Code 48900 (a)-(o), Education Code 48900.2-48900.4, Education Code 48915 (c) and (Education Code 48900.8).
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian. (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Governing Board. (Education Code 48918)
4. Notice of the alternative educational placements 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 Not to Enforce Expulsion Order

In accordance with Board policy, when deciding whether to suspend the enforcement of an expulsion, the Board shall take into account the following criteria:

1. The student’s pattern of behavior.
2. The seriousness of the misconduct.
3. The student’s attitude toward the misconduct and his/her willingness to follow a rehabilitation program.

The suspension of the enforcement of an expulsion shall be governed by the following: (Education Code 48917)

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.
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status.
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” above or violates any of the district’s rules and regulations governing student conduct.
4. When the suspension of the enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order.
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings.
6. 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 County Board of Education.

7. 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 also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education. (Education Code 48918 (j))

Right to Appeal

The student or parent/guardian is entitled to file an appeal of the Board's decision to the County Board of Education. The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion action is suspended and the student is placed on probation. (Education Code 48919)

Post-Expulsion Placements

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 such a site.
3. Not housed at the school site attended by the student at the time of suspension.

(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for acts described in items #6 through #13 and #17 through #19 under "Grounds for Suspension and Expulsion" may be instead 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

Readmission procedures shall be as follows:

1. On the date set by the Board when it ordered the expulsion, the district shall consider readmission of the student. (Education Code 48916)
2. 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.
3. The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session if information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it shall be honored.
4. 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.
5. 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)
6. 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. (Education Code 48916)
7. 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)

Maintenance of Records

The Board shall maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls, within five days of a written request by the admitting school. (Education Code 48900.8, 48918(k))

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district. (Education Code 48915.1)

(cf. 5119 - Students Expelled from Other Districts)

(cf. 5125 - Student Records)

Notifications 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 also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering or sale of controlled substances, alcohol, or intoxicants of any kind. (Education Code 48902)

Ouome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion.
2. The grounds for each recommended expulsion.
3. Whether the student was subsequently expelled.
4. Whether the expulsion order was suspended.
5. The type of referral made after the expulsion.
6. The disposition of the student after the end of the expulsion period.

Regulation: REDLANDS UNIFIED SCHOOL DISTRICT

Approved: June 27, 1995, Redlands, California

(D) Procedures to Notify Teachers of Dangerous Pupils (EC 49079)

Teacher are given notice at the beginning of the school year of any students in their class that have prior suspensions. Teachers then have to option to review the students' discipline record.

(E) Sexual Harassment Policies (EC 212.6 [b])

Policy 4119.11: Sex Discrimination and Sex-Based Harassment

The Governing Board is committed to providing a safe work environment that is free of harassment and intimidation. The Board prohibits sexual harassment against district employees by anyone, in any manner, and prohibits retaliatory action or behavior against any persons who complains, testifies, or otherwise participates in the complaint process established pursuant to this policy and accompanying administrative regulation. This policy shall apply to all district employees, interns, volunteers, contractors, job applicants, and other persons with an employment relationship with the district.

(cf. 0410 - Nondiscrimination in District Programs and Activities) (cf. 4030 - Nondiscrimination in Employment)

Sexual harassment includes, but is not limited to, harassment that is based on the sex, gender, gender identity, gender expression, or sexual orientation of the victim and harassment based on pregnancy, childbirth, or related medical conditions.

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation, and correction of sexual harassment, including but not limited to:

1. Providing training to all staff in accordance with law and administrative regulation.
2. Publicizing and disseminating the district's sexual harassment policy to staff.
3. Ensuring prompt, thorough, equitable, and fair investigation of complaints
4. Taking timely and appropriate corrective/remedial actions which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments.

The Superintendent or designee shall periodically evaluate the effectiveness of the district's strategies to prevent and address harassment. Such evaluation may involve conducting regular anonymous employee surveys to assess whether harassment is occurring or is perceived to be tolerated, partnering with researchers or other agencies with the needed expertise to evaluate the district's prevention strategies, and using any other effective tool for receiving feedback on systems and/or processes. As necessary, changes shall be made to the harassment policy, complaint procedures, or training.

Sexual Harassment Reports and Complaints

Any district employee who feels that he/she has been sexually harassed in the performance of their district responsibilities or who has knowledge of any incident of sexual harassment by or against another employee shall immediately report the incident to his/her supervisor, the principal, other district administrator, or the district's Title IX Coordinator. However, an employee may bypass his/her supervisor in filing a complaint if the supervisor is the subject of the complaint. A supervisor, principal, or district administrator who receives a harassment complaint shall promptly notify the Title IX Coordinator.

Once notified, the Title IX Coordinator shall ensure the complaint or allegation is addressed through AR 4119.12/4219.12/4319.12 – Title IX Sexual Harassment Complaint Procedures or AR 4030- Nondiscrimination in Employment, as applicable. Because a complaint or allegation that is dismissed or denied under the Title IX complaint procedure may still be subject to consideration under state law, the Title IX Coordinator shall ensure that any implementation of AR 4119.12/4219.12/4319.12 concurrently meets the requirements of AR 4030.

Notwithstanding the above, BP/AR 4119.12/4219.12/4319.12 and 4030 shall under no circumstances be used to resolve complaints brought by, on behalf of, or against students. All complaints brought by, on behalf of, or against students that allege “sexual harassment” as that term is defined in the federal regulations implementing Title IX of the Education Amendments of 1972 (see 34 C.F.R. § 106, et seq.) shall be investigated and resolved under BP/AR 5145.71. All complaints brought by, on behalf of, or against students that do not meet the definition of “sexual harassment” as set forth in the Title IX implementing regulations shall be investigated and resolved under BP/AR 1312.3.

(cf. 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaints)

The Title IX Coordinator shall offer supportive measures to the complainant and respondent, as deemed appropriate under the circumstances.

Upon investigation of a sexual harassment complaint, any district employee who engages, or participates in sexual harassment, or who aids, abets, incites, compels, or coerces another to commit sexual harassment in violation of this policy is subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Reports) (cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4218 -

Dismissal/Suspension/Disciplinary Action)

Regulation 4119.12: Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures

The complaint procedures described in this administrative regulation shall be used to address any complaint governed by Title IX of the Education Amendments of 1972 alleging that a district employee, while in an education program or activity in which a district school exercises substantial control over the context and respondent, was subjected to one or more of the following forms of sexual harassment: (34 CFR 106.30, 106.44)

1. A district employee conditioning the provision of a district aid, benefit, or service on a person's participation in unwelcome sexual conduct
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291 (cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

All other sexual harassment complaints or allegations shall be investigated and resolved in accordance with AR 4030

- Nondiscrimination in Employment. The determination of whether the allegations meet the definition of sexual harassment under Title IX shall be made by the district's Title IX Coordinator.

(cf. 4030 - Nondiscrimination in Employment)

Because the complainant has a right to pursue a complaint under AR 4030 for any allegation that is dismissed or denied under the Title IX complaint procedure, the Title IX Coordinator shall ensure that all requirements and timelines for AR 4030 are concurrently met while implementing the Title IX procedure.

Reporting Allegations/Filing a Formal Complaint

An employee who is the alleged victim of sexual harassment may submit a report of sexual harassment to the district's Title IX Coordinator using the contact information listed in AR 4119.11/4219.11/4319.11 - Sexual Harassment or to the employee's direct supervisor or other district administrator, who shall forward the report to the Title IX Coordinator within one day of receiving the report. Upon receiving such a report, the Title IX Coordinator shall inform the complainant of the right to file a formal complaint and the process for filing a formal complaint.

A formal complaint, with the complainant's physical or digital signature, may be filed with the Title IX Coordinator in person, by mail, by email, or by any other method authorized by the district. (34 CFR 106.30)

Even if the alleged victim chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations when a safety threat exists. In addition, the Title IX Coordinator may file a formal complaint in other situations as permitted under the Title IX regulations, including as part of the district's obligation to not be deliberately indifferent to known allegations of sexual harassment. In such cases, the Title IX Coordinator shall provide the alleged victim notices as required by the Title IX regulations at specific points in the complaint process.

The Title IX Coordinator, investigator, decision-maker, or a facilitator of an informal resolution process shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. Such persons shall receive training in accordance with 34 CFR 106.45. (34 CFR 106.45)

Supportive Measures

Upon receipt of a report of Title IX sexual harassment, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures and shall consider the complainant's wishes with respect to the supportive measures implemented. Supportive measures shall be offered as appropriate, as reasonably available, and without charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures shall be nondisciplinary, nonpunitive, and not unreasonably burden the other party, including measures designed to protect the safety of all parties or the district's educational environment or to deter sexual harassment. Supportive measures may include, but are not limited to, counseling, extensions of deadlines, modifications of work schedules, mutual restrictions on contact, changes in work locations, leaves of absence, increased security, and monitoring of certain areas of the campus. (34 CFR 106.30, 106.44)

The district shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the district's ability to provide the supportive measures. (34 CFR 106.30)

Emergency Removal

If a district employee is the respondent, the employee may be placed on administrative leave during the pendency of the formal complaint process. (34 CFR 106.44)

If the respondent is a student, the district may, on an emergency basis, remove the student from the district's education program or activity, provided that the district conducts an individualized safety and risk analysis, determines that removal is justified due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations, and provides the student with notice and an opportunity to challenge the decision immediately following the removal. This authority to remove a student does not modify a student's rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973. (34 CFR 106.44)

Dismissal of Complaint

The Title IX Coordinator shall dismiss a formal complaint if the alleged conduct would not constitute sexual harassment as defined in

34 CFR 106.30 even if proved. The Title IX Coordinator shall also dismiss any complaint in which the alleged conduct did not occur in the district's education program or activity or did not occur against a person in the United States, and may dismiss a formal complaint if the complainant notifies the district in writing that the complainant would like to withdraw the complaint or any allegations in the complaint, the respondent is no longer employed by the district, or sufficient circumstances prevent the district from gathering evidence sufficient to reach a determination with regard to the complaint. (34 CFR 106.45)

Upon dismissal, the Title IX Coordinator shall promptly send written notice of the dismissal and the reasons for the dismissal simultaneously to the parties and shall inform them of their right to appeal the dismissal of a formal complaint or any allegation in the complaint in accordance with the appeal procedures described in the section "Appeals" below. (34 CFR 106.45)

If a complaint is dismissed, the conduct may still be addressed pursuant to AR 4030 - Nondiscrimination in Employment as applicable.

Informal Resolution Process

When a formal complaint of sexual harassment is filed, the district may offer an informal resolution process, such as mediation, at any time prior to reaching a determination regarding responsibility. The district shall not require a party to participate in the informal resolution process or to waive the right to an investigation and adjudication of a formal complaint. (34 CFR 106.45)

The district may facilitate an informal resolution process provided that the district: (34 CFR 106.45)

1. Provides the parties with written notice disclosing the allegations, the requirements of the informal resolution process, the right to withdraw from the informal process and resume the formal complaint process, and any consequences resulting from participating in the informal resolution process, including that records will be maintained or could be shared.
2. Obtains the parties' voluntary, written consent to the informal resolution process

Written Notice

If a formal complaint is filed, the Title IX Coordinator shall provide the known parties with written notice of the following: (34 CFR 106.45)

1. The district's complaint process, including any informal resolution process
2. The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known. Such notice shall be provided with sufficient time for the parties to prepare a response before any initial interview. If, during the course of the investigation, new Title IX allegations arise about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.
3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process
4. The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an attorney, and the ability to inspect and review evidence
5. The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process

The above notice shall also include the name of the investigator, facilitator of an informal process, and decision-maker and shall inform the parties that, if at any time a party has concerns regarding conflict of interest or bias regarding any of these persons, the party should immediately notify the Title IX Coordinator.

Investigation Procedures

During the investigation process, the district's designated investigator shall: (34 CFR 106.45)

1. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and

exculpatory evidence

2. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence
3. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney
4. Not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding, although the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as the restrictions apply equally to both parties
5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate
6. Send in an electronic format or hard copy to both parties and their advisors, if any, the evidence obtained as part of the investigation that is directly related to the allegations raised in the complaint, and provide the parties at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report
7. Objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and determine credibility in a manner that is not based on a person's status as a complainant, respondent, or witness
8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review and written response

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. (34 CFR 106.45)

Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.

If the complaint is against an employee, rights conferred under an applicable collective bargaining agreement shall be applied to the extent they do not conflict with the Title IX requirements.

Written Decision

The Superintendent shall designate an employee as the decision-maker to determine responsibility for the alleged conduct, who shall not be the Title IX Coordinator or a person involved in the investigation of the matter. (34 CFR 106.45)

After the investigative report has been sent to the parties but before reaching a determination regarding responsibility, the decision-maker shall afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party.

The decision-maker shall issue, and simultaneously provide to both parties, a written decision as to whether the respondent is responsible for the alleged conduct. (34 CFR 106.45)

The written decision shall be issued within 60 calendar days of the receipt of the complaint.

The timeline may be temporarily extended for good cause with written notice to the complainant and respondent of the extension and the reasons for the action. (34 CFR 106.45)

In making this determination, the decision-maker shall use the "preponderance of the evidence" standard for all formal complaints of sexual harassment. (34 CFR 106.45)

The written decision shall include the following: (34 CFR 106.45)

1. Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR 106.30

2. A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the district includes hearings as part of the grievance process
3. Findings of fact supporting the determination
4. Conclusions regarding the application of the district's code of conduct or policies to the facts
5. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's educational program or activity will be provided by the district to the complainant
6. The district's procedures and permissible bases for the complainant and respondent to appeal

Appeals

Either party may appeal the district's decision or dismissal of a formal complaint or any allegation in the complaint, if the party believes that a procedural irregularity affected the outcome, new evidence is available that could affect the outcome, or a conflict of interest or bias by the Title IX Coordinator, investigator(s), or decision-maker(s) affected the outcome. If an appeal is filed, the district shall: (34 CFR 106.45)

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties
2. Ensure that the decision-maker(s) for the appeal is trained in accordance with 34 CFR 106.45 and is not the same decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator
3. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome
4. Issue a written decision describing the result of the appeal and the rationale for the result
5. Provide the written decision simultaneously to both parties

An appeal must be filed in writing within 10 calendar days of receiving the notice of the decision or dismissal, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered.

A written decision shall be provided to the parties within 20 calendar days from the receipt of the appeal.

Either party has the right to file a complaint with the U.S. Department of Education's Office for Civil Rights within 180 days of the date of the most recently alleged misconduct.

The complainant shall be advised of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal antidiscrimination laws, if applicable.

Remedies

When a determination of responsibility for sexual harassment has been made against the respondent, the district shall provide remedies to the complainant. Such remedies may include the same individualized services described above in the section "Supportive Measures," but need not be nondisciplinary or nonpunitive and need not avoid burdening the respondent. (34 CFR 106.45)

Disciplinary Actions

The district shall not impose any disciplinary sanctions or other actions against a respondent, other than supportive measures as described above in the section "Supportive Measures," until the complaint procedure has been completed and a determination of responsibility has been made. (34 CFR 106.44)

When an employee is found to have committed sexual harassment or retaliation, the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Report)

(cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4119.11/4219.11/4319.11 - Sexual Harassment) (cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Record-Keeping

The Superintendent or designee shall maintain, for a period of seven years: (34 CFR 106.45)

1. A record of all reported cases and Title IX investigations of sexual harassment, any determinations of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary sanctions imposed, any remedies provided to the complainant, and any appeal or informal resolution and the results therefrom.
2. A record of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment, including the district's basis for its conclusion that its response was not deliberately indifferent, the measures taken that were designed to restore or preserve equal access to the education program or activity, and, if no supportive measures were provided to the complainant, the reasons that such a response was not unreasonable in light of the known circumstances.
3. All materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process. The district shall make such training materials publicly available on its web site, or if the district does not maintain a web site, available upon request by members of the public.

(cf. 1113 - District and School Web Sites) (cf. 3580 - District Records)

(F) School-wide Dress Code Relating to Gang-Related Apparel (EC 35183)

Policy 5132.16: Student Dress Guidelines

The Governing Board believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Students' clothing must not present a health or safety hazard or a distraction which would interfere with the educational process.

Students and parents/guardians shall be informed about dress and grooming standards at the beginning of the school year and whenever these standards are revised. A student who violates these standards shall be subject to appropriate 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 dress code may be included as part of the school safety plan and must be presented to the Board for approval. The Board shall approve the plan upon determining that it is necessary to protect the health and safety of the school's students.

Uniforms

The Board recognizes that, in order to promote student safety and discourage peer rivalry and/or gang activity, the principal, staff and parent/guardian at a school site may wish to establish a reasonable dress code, which may include voluntary school uniforms.

Dress codes, which include voluntary school uniforms, may be included as part of the school safety plan submitted as required.

The Superintendent or designee shall establish procedures that schools, parents and guardians will follow if they decide to participate with the voluntary school uniform policy. Students shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardian decide not to participate.

The Governing Board feels that there is nothing inherently wrong with dress or color of dress, but when student's dress serves to intimidate or impede the rights of other students it will be determined that dress is in violation of this policy. A student may not remain at school dressed in a manner which (1) creates a safety hazard for said student or for other students at school, and/or (2) when the dress constitutes a serious and unnecessary distraction to the learning process or tends to disrupt campus order

When the site administrator/designee determines that a student's attire is in violation of this policy, the student will be required to modify his/her clothing and/or apparel in such a manner that it no longer violates this policy. If necessary, the student may be taken or sent home with parental permission to modify unacceptable dress and return to school. Refusal to take steps as described in this policy shall be cause for disciplinary action against the student. Any such disciplinary action shall be handled pursuant to existing student disciplinary policy

Parents/guardians have primary responsibility to see that students are properly attired for school. School district personnel have the responsibility for maintaining proper and appropriate conditions conducive to learning. Hence, the following guidelines will be implemented in all district schools.

1. Shoes will be worn at all times. A substantial sole is required and enclosed toe and heel footwear are highly encouraged.
2. Extremely brief garments that are distracting to the educational environment are not appropriate. Clothing shall be sufficient to conceal undergarments at all times.
3. Clothing or accessories shall be free of writing, pictures or any other insignia which are crude, violent, obscene or sexually suggestive or which advocate racial, ethnic or religious prejudice or the use of tobacco, drugs or alcohol.
4. Earrings, jewelry, or accessories which present a safety hazard to the wearer or others are not suitable for school wear.
5. Only prescription sunglasses may be worn in class. Other types of sunglasses may be worn on campus outside of class.
6. Identified gang attire such as bandannas, haircuts or hair rollers, or any gang paraphernalia are prohibited.

Students are allowed to wear sun protective clothing, including hats, while outdoors during the school day. Each school site will develop a policy indicating the type of sun protective hats that are permitted.

No grade of a student participating in a physical education class shall be adversely affected if the student does not wear standardized physical education apparel because of circumstances beyond the student's control. (Education Code 49066) All clothing worn during physical education shall meet reasonable safety standards.

The purpose of adopting these Student Dress Guidelines is not to infringe on any individual student's rights to freedom of expression, but rather to encourage students to dress appropriately and come to school properly prepared for participating in the educational process.

Gang-Related Apparel

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed as needed and updated as necessary.

Uniforms

In schools where a majority of parents respond and indicate on a survey that they desire to establish a voluntary school-wide uniform dress code, the principal, staff and the parents/guardians of the individual school site shall:

1. Jointly select the specific uniform to be worn. (Education Code 35183)
2. Describe the uniform parts and identify local vendors who sell those pieces of clothing. A description of the implementation of the voluntary uniform dress code will be submitted to the superintendent's designee including:
 - a. The process for parent notification
 - b. Positive procedures that will be used to encourage students to participate with the voluntary uniform dress code
3. A description of the uniform and a list of costs for each competitively priced item of clothing as provided by a variety of vendors will be sent to parents.
4. Parents will be notified that this is a voluntary uniform dress code and that students not participating shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardians so decide.

Parent Notification

The principal shall give parents/guardian at least six months notice before a school site implements a voluntary school uniform dress code. (Education Code 35183)

(G) Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School (EC 35294.2)

(H) A Safe and Orderly School Environment Conducive to Learning (EC 35294.2)

Component:

Physical Environment

The Schools' Location and Physical Environment

Lugonia Elementary School is located in the Redlands area of San Bernardino County that has an average crime rate and high poverty level. The immediate area round the school includes Federal income housing, section 8 housing, apartment complexes and single family homes. Present safety hazards include None..

Description of School Grounds

The school site encompasses 13.3 acres. The grounds are grass, concrete and asphalt and includes basketball and volleyball courts, baseball diamonds and a lined track. There are several wings and/or clusters of classrooms including 26 classrooms 12 re-locatable classrooms. Other ancillary structures include Office, restrooms, innovation lab, intervention room, MPR, teacher workroom, family resource center and YMCA..

During the school day, staff members and administrators shall provide campus supervision. Identified problem areas receive increased supervision to reduce discipline, crime, or other school safety concerns.

It shall be the practice of Lugonia Elementary School to remove all graffiti from school property before pupils arrive to begin their school day. Other acts of vandalism are promptly addressed.

Maintenance of School Buildings/Classrooms

The school's physical facility is well maintained and generally looks neat and clean. The school was most recently painted 2021 renovated during the 2021 year. District personnel periodically examine the school's physical facility and help eliminate obstacles to school safety. Additionally, health and fire department inspectors contribute to school safety.

The most recent fire inspection was conducted in July 2024.

Internal Security Procedures

Lugonia Elementary School has established procedures in the following areas: California Safe School Assessment (CSSA) reporting procedures, suspension and expulsion procedures, inventory system, and Site Safety Plan, Emergency Disaster Plan, and School Plan for Student Achievement..

Lugonia Elementary School crime statistics reflect a total of 24 suspensions and 41.4% chronically absent students reported during the 23-24 school year.

Keeping reportable crimes at a minimum requires constant vigilance. The following strategies will be utilized in achieving this goal: Sprigeo, fencing, support from nearby middle school campus security, regular monitoring from administration, campus monitors, and custodians, and multiple cameras in designated areas on campus.

Lugonia Elementary School maintains a copy of the district's sexual harassment policy in the main office/principal's office and the policy is available on request. The District's Sexual Harassment Policy contains dissemination plans, applicable definitions, reporting requirements, investigation procedures, enforcement regulations, and information related to suspension and/or expulsion for sexual harassment of or by pupils. Additionally, a notice summarizing this sexual harassment policy appears in the Parent & Student Handbook, The parent student handbook is distributed at the beginning of each school year to all parents and pupils.

To ensure the safety of pupils and staff, all visitors to the campus, except pupils of the school and staff members, shall register immediately upon entering any school building or grounds when school is in session. District employees, not assigned to Lugonia Elementary School shall wear appropriate identification badges while on campus conducting business.

Discipline procedures shall focus on finding the cause of problems and working with all concerned to reach the proper, lawful solutions. The school's discipline plan begins at the classroom level. Teachers shall use a visible classroom management plan to communicate classroom rules, promote positive pupil conduct, and reduce unacceptable conduct. Appropriate consequences are administered based on the seriousness of the pupil's misbehavior.

Pupil conduct standards and consequences for Lugonia Elementary School are specifically described in this Comprehensive Schools Safety Plan including: (a) the adopted school discipline rules and procedures, (b) District Disciplinary Guidelines, and (c) the adopted school-wide dress code.

Pupils may be suspended, transferred to another school, or recommended for expulsion or for certain acts. For specific student violations, a mandatory expulsion recommendation shall be submitted by the administration of Lugonia Elementary School.

Site administrators contribute to a positive school climate, promote positive pupil behavior, and help reduce inappropriate conduct. The principal/designee uses available district and other appropriate records to inform teachers of each pupil identified under E.C. 49079.

Law enforcement is contacted and consulted to help maintain and to promote a safe and orderly school environment. Lugonia Elementary School employees comply with all legal mandates, regulations, and reporting requirements for all instances of suspected child abuse.

If appropriate, additional internal security procedures affecting the integrity of the school facility include: the use of Raptor Technology to check in all staff, volunteers, and visitors, and people wishing to volunteer must fill out an application.

Community involvement is encouraged to help increase school safety.

A "neighborhood-watch" approach is requested and community members may make anonymous reports to Sprigeo, We Tip Hotline, and See Something, Say Something.

Inventory System - Engraved ID, Security Storage

Most school-site equipment has a metal ID tag or a bar code sticker adhered to its surface. These items are inventoried annually and there is an established accountability system. Office and classroom supplies are secured.

Element:

Goal 1:

Lugonia's overall goal include:

In the office, there are smiles, eye contact, and handshakes among the students, parents, and staff. On the door, there is a sign welcoming parents. Additionally, resource literature is available on display for parents (eg. pamphlets/handouts).

In the classroom, the environment is warm and academically focused. The teachers incorporate PBIS (Positive Behavior Intervention Supports) and common school language elements in the classroom throughout the day. Several adult volunteers are available to mentor and tutor the students and to provide support. Students are recognized for their accomplishments throughout the year. Academic recognitions include: assemblies, positive principal postcards and lunch with the principal. Social and behavioral recognitions include: PBIS Rewards, ROAR Store, PBIS PEP rallies, monthly VIP lunch table, and Praise Paws.

In the lunchroom, students eat together in a friendly, clean atmosphere. Students and staff take pride in the lunchroom and share responsibility for maintaining its cleanliness.

On the playground, staff, students and community volunteers are engaged in social and skill building activities. Students resolve conflicts through non-physical means utilizing our PBIS language and seeking the assistance of an adult or a ROARing Leader when necessary. Pride is taken in the school appearance and students work with staff to maintain the cleanliness of the campus.

Parents find the school warm and inviting and volunteer in the classroom, lunchroom, and playgrounds. They are members of planning teams and help maintain a warm and inviting environment. The school offers interpreters and a Language Line for parents who do not speak English. The school tries to accommodate parents' schedules for conferences.

Our community collaborates with the school to provide a network of activities and support systems for students. Adults interact with students as they walk to and from school, forming relationships with them and ensuring their safety before and after school. The school is used as a community resource, and there are many before/during/after school student and/or parent events.

Opportunity for Improvement:

I. Areas of Pride and Desired Improvements

a. Pride

1. Lugonia's warm welcoming school culture
2. Community partnerships

b. Areas of Desired Improvement

1. Continued focus and implementation of PBIS with a focus on tier 2 and tier 3 interventions
2. Paint murals on the hand ball courts and touchup Lion Mural in hallway between Kindergarten classrooms and Office
3. Repaint tree rings on the playground and repaint lines on playground.

Objectives	Action Steps	Resources	Lead Person	Evaluation
II. Desired Change #1 Continued focus and implementation of PBIS (gold rating)	a. Related Strategies and Activities 1. Attend PBIS trainings, hold monthly PBIS team meetings, seek PBIS support through behavior intervention personnel 2. Focus on tier 2 and 3 interventions	b. Resources Required 1. Certificated, classified, elementary counselors, parent input 2. e. Budget 1. Funds are allocated for PBIS support (eg. social skill opportunities, behavior intervention support) through Goal 1: School Culture of Lugonia's 2022-2023 School Site Plan 2.	c. Personnel Assignments 1. Campus monitors, grade level PBIS representatives, support personnel 2.	f. Evaluation criteria 1. Gold rating 2. Fewer incidents between students d. Timeframe for completion 1. 6/2022 2.
III. Desired Change #2 Paint murals on the hand ball court walls and touch up Lion Mural in hallway between Kindergarten classrooms and Office	a. Related Strategies and Activities 1. Working closely with district personnel 2. Hire artist to paint mural	b. Resources Required 1. Certificated classified, elementary counselors, parent input 2. e. Budget 1. Funds from General funds 2.	c. Personnel Assignments 1. Certificated/Classified staff 2.	f. Evaluation criteria 1. Murals complete 2. d. Timeframe for completion 1. 6/2024 2.
II. Desired Change #3 Repaint the tree rings on the playground and repaint lines on playground	a. Related Strategies and Activities 1. Work closely with district personnel	b. Resources Required 1. Certificated, classified, elementary counselors, parent input e. Budget 1. Volunteers will be painting the tree rings.	c. Personnel Assignments 1. Certificated/Classified staff	f. Evaluation criteria 1. Painting complete d. Timeframe for completion 1. 6/2024

Component:

School Climate

The School's Social Environment

Leadership at Lugonia Elementary School is a shared process. A proactive role is assumed in all phases of the school operation. The current management team is committed to developing Lugonia Elementary School toward excellence in the areas of academic and social behavior.

The principal sets a positive tone for the school, guides the staff and works closely with them on curriculum and school safety issues. The school site's organizational structure is open and flexible contributing to sensitivity concerning school safety issues and promoting a safe, orderly school environment conducive to learning.

Disaster Procedures, Routine and Emergency

A contingency plan for emergencies is contained in a handbook available to each staff member. The District's Emergency Response Plan - (ERP Plan) is listed at the last section of this plan. The plan is reviewed at the beginning of each school year. This plan also contains available district and outside agency resources, emergency disaster procedures and information on Standardized Emergency Management System (SEMS).

Classroom Organization and Structure

Lugonia Elementary School teachers provide a varied learning environment in their classrooms. Teachers use a variety of teaching strategies including:

1. PBIS
2. Direct Interactive Instruction
3. Guided instruction
4. Whole and small group instruction
5. Cooperative Learning Groups
6. Thinking Maps
7. Write from the Beginning
8. Designated and Integrated English Learner Support
9. Data Analysis and Protocols to guide and monitor instruction
10. Technology support in all classrooms (projectors, document cameras, etc.)
11. Google Classroom
12. Laptops 1:1 in K - 5th grade classrooms
13. Math Intervention Teacher
14. MTSS (Multi-Tiered Systems of Support)
15. ELOP Teachers

The teachers at Lugonia Elementary School are highly qualified, with many teachers holding advanced degrees. The staff is united in their desire to provide quality education for all pupils. Classrooms and teachers provide safe, orderly learning environment, enhance the experience of learning, and promote positive interactions amongst pupil and staff. Instructional time is maximized and disruptions are minimized.

The School's Cultural Environment

There is a high level of cohesiveness among the staff members at Lugonia Elementary School. Cooperation and support between teachers and the administration is evident. Efforts are made by the administration and staff to show concern for all pupils.

All pupils are expected to behave in a manner that promotes safety and order. Pupils are encouraged to bring problems to the principal, assistant principal, counselor, teacher or other staff members. The everyday goal is for the staff to be proactive rather than reactive in all situations of concern.

The academic and behavior efforts of pupils are recognized and rewarded.

Cultural diversity is celebrated throughout the year by participation in district and school wide activities such as:

1. Cultural Celebrations
2. Cultural Readings in Journeys ELA Curriculum and supported texts
3. Constitution Day
4. Multicultural Assemblies and Family Nights
5. Black History Month
6. Red Ribbon Week
7. Fall Festival

Element:

Goal 2:

Prevention:

1. Student supervision before, during, and after school will be provided by campus monitors, teachers, administrators, parent volunteers, and student helpers.

2. Buddy System - To maintain a sense of community in the school, minimizing bullying and disruptions and encourage learning, teachers will assign new students to a "buddy" who is able to model and articulate Lugonia's school culture and expectations while introducing him/her around campus.
3. Students will be assigned meaningful roles within their classrooms and throughout the school. By playing important roles in the running of the school, they will have a stake in keeping our campus safe.
4. A school wide discipline program based on character building will be used to teach virtues such as respect, compassion, integrity and responsibility.
5. Parenting classes are available through the Building a Generation community support as well as parent workshops are provided in both academic and social skill areas.
6. Through the use of "ROARing Leaders", students are helping their peers to feel comfortable and welcome at school.
7. Elementary counselors give lessons on social skill through the use of "2nd Step" curriculum.

Intervention:

1. Students are taught appropriate behavior using the PBIS Common Language
2. Assistant Principal will monitor and facilitate the Student Attendance Review Team (SART), behavior assemblies, and PBIS team to review data.
3. School wide discipline is coupled with positive behavior support e.g., parent conferences, behavior workshops, elementary counselor classroom visits and students support groups and PBIS intervention support personnel, DIS Counseling, etc.
4. Elementary counselors to support students in need of anger management and other issues that might interfere with a pupil's learning as well as provide parent and student workshops/lessons.

Opportunity for Improvement:

I. Areas of Pride and Desired Improvements

a. Pride

1. Hold Monthly PBIS Pep Rallies to celebrate student achievement in the area of behavior.
2. Award students with ROARing Behavior Awards where they get picture taken in the office and a positive phone call home.
3. Select 2 students from each class each Friday for Praise PAWS weekly incentive drawings for all students.

b. Areas of Desired Improvement

1. Develop additional incentive programs to promote PBIS.
2. Strengthen our tier 2 and 3 interventions.

Objectives	Action Steps	Resources	Lead Person	Evaluation
II. Desired Change #1 Hold weekly incentive drawings for all students.	a. Related Strategies and Activities 1. All staff will participate and recognize students using Praise Paws 2.	b. Resources Required 1. 2. e. Budget 1. Use of Character Ed allocation. 2.	c. Personnel Assignments 1. 2.	f. Evaluation criteria 1. 2. d. Timeframe for completion 1. On-going 2.
III. Desired Change #2 Increased use of 2nd Step schoolwide.	a. Related Strategies and Activities 1. Staff delivering "2nd Step" lessons. 2.	b. Resources Required 1. "2nd Step" curriculum 2. e. Budget 1. 2.	c. Personnel Assignments 1. Counselors 2.	f. Evaluation criteria 1. Usage rate increase. 2. d. Timeframe for completion 1. Ongoing 2.

(I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5)

Lugonia Elementary School Student Conduct Code

Procedures to Ensure a Safe and Orderly Environment

Rules and Procedures on School Discipline

Philosophy of Discipline

- Behavior expectations and the consequences for not meeting expectations must be clearly communicated to all students and their parents (in writing as well as verbally).
- The severity of consequences for violating behavior expectations increases with each incident of inappropriate behavior.
- The consequences for violating behavior expectations should be severe enough to discourage students from making poor behavior decisions.
- Expectations and consequences should permit students an opportunity to eliminate inappropriate behavior.

Additionally, the school staff recognizes that the middle school years are a transition time from adolescence to young adulthood. As a part of this transition, the student is given greater opportunities to be responsible and demonstrate independence and good judgment. The structure of our behavior expectations (in the classroom as well as school wide) is meant to encourage students to be responsible. The first step in many instances of inappropriate behavior (those considered to be "minor") is a simple warning ("Your behavior is unacceptable. Please stop such behavior"). It is only when a student ignores such warnings and continues to choose to act irresponsibly (like a child rather than an emerging adult) that we involve parents and implement consequences.

Elements of a Good Discipline Program

1. The program is focused upon making the entire campus, especially the classroom, a safe, supportive and orderly environment for learning for students and staff.
2. Classroom authority is retained by the classroom teacher. (Administration's role is to support, not to replace.)
3. Rules and procedures are clearly understood by staff and students.
4. All staff members will acknowledge and take appropriate action on any minor or major infraction of the school rules.
5. Rules and procedures comply with State Law and District policies.
6. The program recognizes the responsibilities and the rights of students and staff.
7. Program is structured to keep students in class and engaged in the educational process.
8. Rules are enforced:
 - A. by all staff members at all times.
 - B. strictly, but not rigidly (beware of "automatics").
 - C. in substantial part by adult modeling.
 - D. using techniques that promote the growth of positive self-esteem.
 - E. as close to the source as is possible.
 - F. by keeping parents informed.
9. The discipline program is understood, endorsed, and supported by staff, parents, and students.

PRINCIPAL'S STATEMENT TO EDMS STAFF

Expectations in Developing & Maintaining Discipline

As Principal of our school, I will expect;

Each teacher to have a defined system of classroom management. A written description of this system, including representative examples of the progressive interventions you intend to employ, will be approved and filed by me. Whenever possible and appropriate, teachers are encouraged to use standards and systems that are consistent with other village/department members.

You can expect

Each administrator to assist and support you in every reasonable way in developing, implementing, and refining that system as needed.

I will expect

That when you refer a student for discipline:

1. The student has been made fully aware of classroom and school rules and knows what rules he/she has violated.
2. Teachers within a village will discuss any continuing behavior problems and schedule a team conference with the student and parents when appropriate.
3. That information will be provided on the referral regarding previous actions you have taken regarding this specific issue.
4. You have exhausted the interventions at your disposal (i.e., you have done everything you can do) and you have followed the guidelines established by the administration and staff on what constitutes an appropriate behavior referral.
5. The behavior was so serious or so blatant as to make immediate removal from the classroom necessary.
6. The written referral will be explicit in stating the offense(s).
7. You will send the student out of class with a referral only if his/her continued presence in the class would disrupt or prevent teaching and/or learning.
8. If necessary, the referral will be delivered to the office at a time convenient to the staff member so that the issue may be handled most efficiently, causing a minimum of lost class time.

You can expect

1. Each administrator to support your position in every reasonable way.
2. A response time on your referral of one, or at most, two days.

3. The availability of an administrator to discuss unresolved referrals after school on any given day.
4. That the administrator will exercise independent judgment regarding disposition of referrals.

I will expect

1. That each teacher will go to the doorway of his/her classroom after each class period as often as possible and assume control of student behavior in the corridor.
2. That each staff member will hold students accountable for their behavior on the school grounds at all times.

You can expect

1. Administrator support, investigation, and follow-through as indicated.
2. A response to referrals from incidents outside the classroom to be the same as to those within.

Dr. Sara Burton
Principal

WHAT TO DO WHEN PROBLEMS APPEAR

Both behavioral and academic problems are present in some of our students. Teachers often ask for guidelines for dealing with these problems. Here they are:

1. Talk to the administrator assigned to your grade level.
2. Call parents at first sign of concern. Inform the parents of your observations, ask for their ideas, assistance, and support in serving the student. Keep a log of your calls.
3. If possible, talk privately to the student about your concerns.
4. Behavior concerns—look through students' CUM file. Any official suspensions will be in file, also look for teacher comments on report cards. Look for patterns of behavior. We use In-House Suspension whenever possible, as it is preferable to having students at home unattended—and it saves the district money. Serious infractions (fighting, threats, etc.) do result in official suspension. Unresponsive students can be moved to other schools or expelled.
5. Referrals—please remember if you write a student referral, you are required to call the parents. You are writing the referral and can answer the parents' questions firsthand. Administrators will also call parents, but we can only give secondhand information on the incident.
6. Academic Concerns—again, look through student CUM. This will contain test scores, report cards, and a student history. You may want to ask the grade level administrator to schedule a Student Study Team (SST). This will involve a meeting with the student, parents, administrators, students' teachers, and perhaps the psychologist

Conduct Code Procedures

(K) Hate Crime Reporting Procedures and Policies

Students and parents can report hate crimes to any staff member including teachers, campus monitors and administration. Students can also report hate crimes through Sprigeo. Incidents of hate crime will be reported to district Assistant Superintendent of Compliance, Dr. Rudy Wilson.

(J) Procedures to Prepare for Active Shooters

Safe and Secure Mode YELLOW (Limit Outside Movement)

Safe and Secure Mode is a security procedure used to reduce student and staff movement outside school buildings. This may be due to a medical emergency, area disturbance, isolated site disturbance, etc. It is designed to allow for school to carry forward but have the ability to move to Lockdown quickly if needed. During the Safe and Secure mode, there is heightened vigilance on campus by all school staff.

Generally, recesses and outdoor activities are reduced. Parents/guardians can have access to their student(s) and may check them out of school if they see fit to do so.

? Teachers should continue teaching as normal

- ? Allow students restroom use with clear administrator/ teacher direction
- ? Increased available staff presence during passing periods and student dismissal
- ? Lunch/activities monitored more closely for movement outside of lunch area, unless site admin decides otherwise
- ? Standard inclement weather schedule/routine in place, unless site administrator/designee decides otherwise
- ? Perimeter gates, where applicable, will be locked and monitored by available staff, allowing for central access points
- ? PE classes will be monitored more closely for movement outside of PE area; classes may be moved off all fields into more secure locations (e.g., gym, class, & MPR)

Lock Down ORANGE (Prevent All Outside Movement)

Lock Down is called when a law enforcement event is happening in the vicinity of a school or on campus. With the support of law enforcement, a school site will call a Lock Down as a precautionary measure. This means all students and staff must stay inside behind locked doors; however, it does not mean that there is an active threat occurring on campus.

- ? Take a look outside your classroom and gather up any stray students in the hallways
- ? Ensure that your door is locked
- ? Project a calm demeanor to help students remain calm; reassure students that they are safe
- ? Do not allow anyone to leave the classroom
- ? Staff and parents/guardians frequently check their emails for updates from their site administrators
- ? If students are out on the playground or athletic fields, quickly move them to a secure classroom, locker room, or multi-purpose room
- ? Teachers continue to keep students engaged in learning

Critical Alert RED (Locks, Lights, Out of Sight)

Critical Alert is called when a significant, threatening event is happening on campus or adjacent to campus that creates a potential danger to students and staff. While this may be communicated to the school by law enforcement, it may also be determined by school officials on the scene. Critical Alert assumes that everyone is prepared for a potential significant threat/event on campus.

- ? Turn off or reduce lighting, so it will appear that the room is vacant
- ? Keep all students sitting on the floor, away from the door or windows
- ? Do not look out the windows
- ? Advise the students that there is a serious situation; project a calm demeanor and reassure students that you are taking steps to keep them safe
- ? Ensure that everyone in the room turns the ringer off on their cell phones
- ? Do not allow students to talk on their cell phones (keep room as quiet as possible)
- ? Limit calls to the school office; phones are being used to communicate with parents/guardians and first responders
- ? Quietly take roll and make a list of missing students and any extra students that are in your room. Email this list to your administrators and school site secretaries
- ? When staff determines, they will direct the evacuation of students they oversee to the designated area; each staff will make this determination based on their specific situation
- ? Do not open the door, even if someone knocks and claims to be a staff member (administrator/custodian will have a master key)
- ? If students are out on the PE field, do not return them to the locker room. Move them to a safe place (this may be the farthest part of the campus or off campus); Staff must remain with students until reunification

Procedures for Preventing Acts of Bullying and Cyber-bullying District Bullying Policy

The Redlands USD 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, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any other student or school personnel, or retaliate against them for filing a complaint or participating in the complaint resolution process.

The Superintendent or designee shall develop strategies for addressing bullying in district schools with the involvement of students, parents/guardians, and staff. As appropriate, the Superintendent or designee may also collaborate with social services, mental health services, law enforcement, courts, and other agencies and community organizations in the development and implementation of effective strategies to promote safety in schools and the community.

Such strategies shall be incorporated into the comprehensive safety plan and, to the extent possible, into the local control and accountability plan and other applicable district and school plans.

Any complaint of bullying shall be investigated and, if determined to be discriminating, resolved in accordance with law and the district's uniform complaint procedures specified in AR 1312.3 - Uniform Complaint Procedures. If, during the investigation, it is determined that a complaint is about nondiscriminatory bullying, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

Any employee who permits or engages in bullying or retaliation related to bullying shall be subject to disciplinary action, up to and including dismissal.

Any person that has been a victim of, or witnessed bullying or harassment on school grounds, during school activities, or going to and coming from school is highly encouraged to report the incident immediately to a counselor, administrator, or other adult personnel on campus. Students have an option of reporting the incident anonymously through Sprigeo online Sprigeo - Report School Safety Threats and Bullying on the school and district's websites.

Definition of Bullying

The district and school are compliant with Assembly Bill AB86 and Education Code 48900 (r) which states that bullying is "one or more acts by a pupil or group of pupils directed against another pupil that constitutes sexual harassment, hate violence, or severe or pervasive intentional harassment, threats, or intimidation that is disruptive, causes disorder, and invades the rights of others by creating an intimidating or hostile educational environment, and includes acts that are committed personally or by means of an electronic act." School officials have the authority to suspend a pupil or recommend a pupil for expulsion for bullying, including but not limited to bullying by an electronic act.

Harassment or bullying of students or staff is an extremely serious violation. The District will not tolerate unlawful bullying and harassment on school grounds, or when traveling to and from school or a school sponsored activity, and during lunch period, whether on or off campus, or sending insulting or threatening messages by phone, e-mail, websites, or any other electronic or written communication. The physical location or time of access of a computer-related incident cannot be raised as a defense in any disciplinary action initiated pursuant to this policy.

"Bullying" is defined as any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils directed toward one or more pupils that has or can be reasonably predicted to have the effect of causing a reasonable pupil to experience a substantially detrimental effect on the pupil's physical or mental health, academic performance, or ability to participate in school activities.

"Cyberbullying," includes the transmission of harassing communications, direct threats, or other harmful texts, sounds, or images on the Internet, social media, or other technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation. 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 shall file a request with the networking site or service to suspend the privileges of the student and to have the material removed.

Safety Plan Review, Evaluation and Amendment Procedures

The Safety Committee will review, evaluate the Safety Plan on a regular basis. The Safety Committee will amend the Safety Plan as needed.

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)
Review and Update Safety Plan	September 25, 2024	Agenda

Emergency Response Guidelines

Step One: Identify the Type of Emergency

The first step in responding to an emergency is to determine the type of emergency that has occurred. Emergency procedures for the different types of emergencies listed below are provided in the following sections.

- Earthquake
- Fire in Surrounding Area
- Fire on School Grounds
- Pandemic

Step Two: Identify the Level of Emergency

The second step in responding to an emergency is to determine the level of the emergency. For schools, emergency situations can range from a small fire to a major earthquake. To assist schools in classifying emergency situations, a three-tiered rating system is described below.

Level 1 Emergency: A minor emergency that is handled by school personnel without assistance from outside agencies, e.g., a temporary power outage, a minor earthquake, or a minor injury in the play yard.

Level 2 Emergency: A moderate emergency that requires assistance from outside agencies, such as a fire or a moderate earthquake, or a suspected act of terrorism involving the dispersion of a potentially hazardous material, e.g., “unknown white powder”.

Level 3 Emergency: A major emergency event that requires assistance from outside agencies such as a major earthquake, civil disturbance or a large-scale act of terrorism. For Level 3 emergencies, it is important to remember that the response time of outside agencies may be seriously delayed.

Step Three: Determine the Immediate Response Action

Once the type and extent of an emergency have been identified, school personnel can determine if an immediate response action is required. The most common immediate response actions initiated during school emergencies are:

- Duck and Cover
- Shelter-In-Place
- Lock Down
- Evacuate Building
- Off-Site Evacuation
- All Clear

Step Four: Communicate the Appropriate Response Action

4.1 Duck and Cover

This action is taken to protect students and staff from flying or falling debris.

Description of Action

1. The Principal will make the following announcement on the PA system and/or Raptor app. If the PA system is not available, the Principal will use other means of communication, i.e., sending messengers to deliver instructions. The Principal should be calm, convey reassuring comments that the situation is under control and give clear directions.

“YOUR ATTENTION PLEASE. AS YOU ARE AWARE, WE ARE EXPERIENCING SOME SEISMIC ACTIVITY. FOR EVERYONE’S PROTECTION, ALL STUDENTS SHOULD FOLLOW STAFF DUCK AND COVER PROCEDURES, WHICH MEAN YOU SHOULD BE IN A PROTECTED POSITION UNDER A TABLE OR DESK, AWAY FROM WINDOWS AND ANYTHING THAT COULD FALL AND HURT YOU. HOLD THIS POSITION UNTIL THE SHAKE STOPS OR GIVEN FURTHER INSTRUCTIONS.”

2. If inside, teachers will instruct students to duck under their desks and cover their heads with their arms and hands.

3. If outside, teachers will instruct students to drop to the ground, place their heads between their knees, and cover their heads with their arms and hands.

4. Teachers and students should move away from windows.

4.2 Shelter-in-Place

This action is taken to place and/or keep students indoors in order to provide a greater level of protection from airborne contaminants in outside air. Shelter-in-Place is implemented when there is a need to isolate students and staff from the outdoor environment, and includes the shut down of classroom and/or building HVAC systems. During Shelter-in-Place, no one should be exposed to the outside air.

The difference between Shelter-in-Place and Lock Down is that the former involves shut down of the HVAC systems, and allows for the free movement of students within the building. However, classes in bungalows and buildings with exterior passageways will have to remain in the classroom.

Description of Action

1. The Principal will make the following announcement on the PA system and/or Raptor app. If the PA system is not available, the Principal will use other means of communication, i.e., sending messengers to deliver instructions. The Principal should be calm, convey reassuring comments that the situation is under control and give clear directions.

“YOUR ATTENTION PLEASE. BECAUSE WE HAVE RECEIVED INFORMATION REGARDING A HAZARD IN THE COMMUNITY, WE ARE INSTITUTING SHELTER-IN-PLACE PROCEDURES. REMEMBER, THIS MEANS STUDENTS AND STAFF ARE TO REMAIN INSIDE THE BUILDING AWAY FROM OUTSIDE AIR WITH WINDOWS AND DOORS SECURELY CLOSED AND AIR CONDITIONING UNITS TURNED OFF. ALL STUDENTS AND STAFF THAT ARE OUTSIDE ARE TO IMMEDIATELY MOVE TO THE PROTECTION OF AN INSIDE ROOM. AS SOON AS WE HAVE FURTHER INFORMATION, WE WILL SHARE IT WITH YOU.”

2. If inside, teachers will keep students in the classroom until further instructions are given.

3. If outside, students will proceed to their classrooms if it is safe to do so. If not, teachers or staff will direct students into nearby classrooms or school buildings (e.g., auditorium, library, cafeteria, and gymnasium). Teachers should consider the location and proximity of the identified hazard and, if necessary, proceed to an alternative indoor location.

4. Teachers are responsible to secure individual classrooms whereas the Security/Utilities Team will assist in completing the procedures as needed: shut down the classroom/building(s) HVAC system; turn off local fans in the area; close and lock doors and windows; seal gaps under doors and windows with wet towels or duct tape; seal vents with aluminum foil or plastic wrap, if available; and turn off sources of ignition, such as pilot lights.

4.3 Lock Down

This action is taken when the threat of violence or gunfire is identified or directed by law enforcement and it is necessary to prevent the perpetrator(s) from entering occupied areas. During Lock Down, students are to remain in the classrooms or designated locations at all time.

The difference between Shelter-in-Place and Lock Down is that the former involves shut down of the HVAC systems, and allows for the free movement of students within the building.

Description of Action

1. The Principal will make the following announcement on the PA system and/or Raptor app. If the PA system is not available, the Principal will use other means of communication, i.e., sending messengers to deliver instructions. The Principal should be calm, convey reassuring comments that the situation is under control and give clear directions.

“YOUR ATTENTION PLEASE. WE HAVE AN EMERGENCY SITUATION AND NEED TO IMPLEMENT LOCK DOWN PROCEDURES. TEACHERS ARE TO LOCK CLASSROOM DOORS AND KEEP ALL STUDENTS INSIDE THE CLASSROOM UNTIL FURTHER NOTICE. DO NOT OPEN THE DOOR UNTIL NOTIFIED BY AN ADMINISTRATOR OR LAW ENFORCEMENT. IF OUTSIDE, STUDENTS AND STAFF ARE TO PROCEED INSIDE THE NEAREST BUILDING OR CLASSROOM.”

If inside, teachers will instruct students to lie on the floor, lock the doors, and close any shades or blinds if it appears safe to do so.

2. If outside, students will proceed to their classrooms if it is safe to do so. If not, teachers or staff will direct students into nearby classrooms or school buildings (e.g., auditorium, library, cafeteria, and gymnasium).

3. Teachers and students will remain in the classroom or secured area until further instructions are given by the Principal or law enforcement.

4. The front entrance is to be locked and no visitors other than appropriate law enforcement or emergency personnel, have to be allowed on campus.

4.4 Evacuate Building

This action is taken after the decision is made that it is unsafe to remain in the building.

Description of Action

1. The Principal will make the following announcement on the PA system and/or Raptor app. If the PA system is not available, the Principle will use other means of communication, i.e., sending messengers to deliver instructions. The Principal should be calm, convey reassuring comments that the situation is under control and give clear directions.

“YOUR ATTENTION PLEASE. WE NEED TO INSTITUTE AN EVACUATION OF ALL BUILDINGS. TEACHERS ARE TO TAKE THEIR STUDENTS TO THE ASSEMBLY AREA AND REPORT TO THEIR DESIGNATED AREA. STUDENTS ARE TO REMAIN WITH THEIR TEACHER. TEACHERS NEED TO TAKE THEIR ROLLBOOK AND LOCK THE CLASSROOM WHEN ALL STUDENTS HAVE EXITED THE CLASSROOM.”

2. The Principal will initiate a fire alarm.

3. Teachers will instruct students to evacuate the building, using designated routes, and assemble in their assigned Assembly Area.

4. Teachers will take the student roster when leaving the building and take attendance once the class is assembled in a safe location.

5. Once assembled, teachers and students will stay in place until further instructions are given.

4.5 Off-Site Evacuation

This action is taken after a decision is made that it is unsafe to remain on the campus, and evacuation to an off-site assembly area is required.

Description of Action

1. The Principal will make the following announcement on the PA system and/or Raptor app. If the PA system is not available, the Principle will use other means of communication, i.e., sending messengers to deliver instructions. The Principal should be calm, convey reassuring comments that the situation is under control and give clear directions.

“YOUR ATTENTION PLEASE. WE NEED TO INSTITUTE AN OFF-SITE EVACUATION. TEACHERS ARE TO TAKE THEIR STUDENTS TO THE OFF-SITE ASSEMBLY AREA AND REPORT TO THEIR DESIGNATED AREA. STUDENTS ARE TO REMAIN WITH THEIR TEACHER. TEACHERS NEED TO TAKE THEIR ROLLBOOK AND LOCK THE CLASSROOM WHEN ALL STUDENTS HAVE EXITED THE CLASSROOM.”

2. The Principal will determine the safest method for evacuating the campus. This may include the use of school buses or simply walking to the designated off-site location. The off-site assembly areas are indicated on the Vicinity Map in Appendix C.

3. Teachers will secure the student roster when leaving the building and take attendance once the class is assembled in a pre-designated safe location.

4. Once assembled off-site, teachers and students will stay in place until further instructions are given.

5. In the event clearance is received from appropriate agencies, the Principal may authorize students and staff to return to the classrooms.

4.6 All Clear

This action is taken to notify teachers that normal school operations can resume.

Description of Action

1. The Principal will make the following announcement on the PA system and/or Raptor app. If the PA system is not available, the Principal will use other means of communication, i.e., sending messengers to deliver instructions.

“YOUR ATTENTION PLEASE. IT IS NOW OK TOO RETURN TO YOUR CLASSROOM AND RESUME NORMAL OPERATIONS. I WOULD LIKE TO THANK AND COMMEND STUDENTS AND STAFF FOR THEIR COOPERATION.”

2. This action signifies the emergency is over.

3. If appropriate, teachers should immediately begin discussions and activities to address students’ fears, anxieties, and other concerns.

Types of Emergencies & Specific Procedures

Earthquake

Earthquake

Earthquakes generally occur without warning and may cause minor to serious ground shaking, damage to buildings, and injuries. It is important to note that even a mild tremor can create a potentially hazardous situation and the following procedures should be implemented in response to all earthquakes regardless of magnitude.

Procedure

Note: Keep calm and remain where you are. Assess the situation, and then act. Remember, most injuries or deaths are the direct cause of falling or flying debris.

1. Upon the first indication of an earthquake, teachers should direct students to DUCK AND COVER as described in Section 4.0.

2. Move away from windows and overhead hazards to avoid glass and falling objects.

3. When the shaking stops, the School Administrator will initiate the EVACUATE BUILDING action as described in Section 4.0. Staff and students will evacuate the buildings using prescribed routes or other safe routes to the Assembly Area.

4. In the event of an evacuation, Teachers will bring their student roster and take attendance at the Assembly Area to account for students. Teachers will notify the Assembly Area Team of missing students.
5. The School Administrator will direct the Security/Utilities Team to post guards a safe distance away from building entrances to prevent access.
6. The Security/Utilities Team will notify school personnel of fallen electrical wires and instruct them to avoid touching the fallen wires.
7. The First Aid/Medical Team will check for injuries and provide appropriate first aid.
8. The School Administrator will direct the Security/Utilities Team to notify the appropriate utility company of damages (e.g., gas, power, water, or sewer).
9. If the area appears safe, the Search and Rescue Team will make an initial inspection of school buildings to identify any injured or trapped students or staff.
10. The School Administrator will contact the Local District Superintendent to determine additional actions that may be necessary. In turn, the actions will be communicated to the District's Office of Communications.
11. The School Administrator will contact the Local District Facilities Director to ensure buildings are safe for re-occupancy. When safe to do so, the Fire Suppression and HazMat Team will conduct an inspection of school buildings. The Fire Suppression and HazMat Team will maintain a log of their findings, by building, and provide a periodic report to the Incident Commander.
12. Any affected areas will not be reopened until the Local District Facilities provides clearance and the School Administrator gives authorization to do so.
13. The School Administrator will initiate an OFF-SITE EVACUATION, as described in Section 4.0, if warranted by changes in conditions at the school.

In the event an earthquake occurs during non- school hours:

1. The School Administrator and the Plant Manager will assess damages to determine any necessary corrective actions. The School Administrator may direct the Fire Suppression and HazMat Team to participate in the assessment.
2. The School Administrator should confer with the Local District Superintendent on identified damages to determine if the school should be closed.
3. If the school must be closed, the School Administrator will activate Parent Alert System and School Personnel Alert System as referenced in Section 5.0.

Fire in Surrounding Area

Fire In Surrounding Area

This procedure addresses the situation where a fire is discovered in an area adjoining the school. The initiated response actions should take into consideration the location and size of the fire, its proximity to the school and the likelihood that the fire may affect the school.

Procedure

1. The School Administrator will initiate the appropriate Immediate Response Actions, which may include SHELTER-IN-PLACE, LOCK DOWN, EVACUATE BUILDING or OFF-SITE EVACUATION as described in Section 4.0.

2. The School Administrator will notify “911” and Redlands Police Department, the school’s local law enforcement agency, at 909-798-7681 and Redlands Fire Department [909-798-7600] and will provide the location and nature of emergency.
3. The School Administrator will instruct the Security/Utilities Team to prevent students from approaching the fire and keep routes open for emergency vehicles.
4. The Agency Liaison will contact the local fire department and will work with the fire department to determine if school grounds are threatened by the fire, smoke, or other hazardous conditions.
5. If the School Administrator issues the EVACUATE BUILDING action, staff and student will evacuate the affected building(s) using prescribed routes or other safe routes to the Assembly Area.
6. In the event of an evacuation, Teachers will bring their student roster and take attendance at the Assembly Area to account for students. Teachers will notify the Assembly Area Team of missing students.
7. The School Administrator will keep a battery-powered radio tuned to a local radio station for emergency information.
8. As appropriate, the School Administrator will activate Parent Alert System.
9. The School Administrator will notify the Local District Superintendent of the emergency situation. A member of this group will call the Office of Communications with information of this situation.
10. If needed, the School Administrator will notify Bus Dispatch to request busses for staff and student evacuation.
11. The School Administrator will initiate an OFF-SITE EVACUATION, as described in Section 4.0 if warranted by changes in conditions.

Fire on School Grounds

Fire On School Grounds

This procedure addresses situations where a fire is discovered on school grounds. A quick response to this situation is very important to prevent injuries and further property damage.

Procedure

1. Upon discovery of a fire, Teachers or staff will direct all occupants out of the building, signal the fire alarm, and report the fire to the School Administrator.
2. The School Administrator will immediately initiate the EVACUATE BUILDING action as described in Section 4.0. Staff and students will evacuate buildings using the prescribed routes or other safe routes to the Assembly Area.
3. In the event of an evacuation, Teachers will bring their student roster and take attendance at the Assembly Area to account for students. Teachers will notify the Assembly Area Team of missing students.
4. The School Administrator will call “911” and Redlands Police Department, the school’s local law enforcement agency, at 909-798-7681 and Redlands Fire Department [909-798-7600] and will provide the exact location (e.g., building, room, area) of the fire.
5. The Fire Suppression and HazMat Team will suppress fires and initiate rescue procedures until the local fire department arrives.
6. The Security/Utilities Team will secure the area to prevent unauthorized entry and keep access roads clear for emergency vehicles.
7. The Agency Liaison will direct the fire department to the fire and brief fire department official on the situation.

8. The Security/Utilities Team will notify the appropriate utility company of damages.
9. The School Administrator will notify the Local District Superintendent of the fire. A member of this group will call the Office of Communications with information on this situation.
10. If needed, the School Administrator will notify Bus Dispatch to request busses for staff and student evacuation.
11. Any affected areas will not be reopened until the Redlands City Fire Department or appropriate agency provides clearance and the School Administrator issues authorization to do so.
12. For fires during non-school hours, the School Administrator and the Local District Superintendent will determine if the school will open the following day.
13. All fires, regardless of their size, which are extinguished by school personnel, require a call to the Fire Department to indicate "fire is out."

Pandemic

Blood Borne Pathogen Incident Reporting Form and Exposure Control Plan

Policy 5141.22: Infectious Diseases

The Governing Board desires to protect students from risks posed by exposure to infectious diseases while providing an appropriate education for all students.

The Superintendent or designee shall determine whether to admit a student with an infectious disease, and shall exclude students only in accordance with law. In making this determination, he/she shall consult the student's parents/guardians, the student's physician and/or the county health department, in accordance with law and consistent with confidentiality provisions. Because bloodborne pathogens such as hepatitis B virus, hepatitis C virus and human immunodeficiency virus (HIV) are not casually transmitted, the sole presence of bloodborne pathogens is not sufficient reason to exclude students from attending school.

cf. 5112.2 - Exclusions from Attendance)
(cf. 5141.26 - Tuberculosis Testing)
(cf. 5141.3 - Health Examinations)
(cf. 6158 - Independent Study)
(cf. 6159 -Individualized Education Program)
(cf. 6183 - Home/Hospital Instruction)

Parents/guardians are encouraged to inform the Superintendent or designee if their child has an infectious disease so that school staff may work cooperatively with the student's parents/guardians to minimize the child's exposure to other diseases in the school setting. The Superintendent or designee shall ensure that student confidentiality rights are strictly observed in accordance with law. No district employee shall release medical information, including knowledge of a bloodborne pathogen infection, without written consent from the parent/guardian or adult student. Such information shall be shared only with those persons specifically named in the written permission.

(cf. 5125 - Student Records)
(cf. 5022 -Student and Family Privacy Rights)

The Board requires students and staff to routinely observe universal precautions to prevent exposure to bloodborne pathogens and to prevent the spread of all infectious disease.

cf. 4119.42/4219.42/4319.42 -Exposure Control Plan for Bloodborne Pathogens)
(cf. 4119.43/4219.43/4319.43 - Universal Precautions)
(cf. 5141.23 - Infectious Disease Prevention)

The Superintendent or designee shall ensure that the district's health education program provides information about the nature of bloodborne pathogens and their transmission.

(cf. 5141.6 - Student Health and Social Services)

(cf. 6142.2 - Sexual Health and HIV/AIDS Prevention Instruction)

(cf. 6142.8 - Comprehensive Health Education)

Blood Borne Pathogens - Safety Practices

Procedures and Regulations

1. General

1.1 While recognizing that both students and employees diagnosed with an infectious blood borne disease are entitled to a confidential relationship between themselves, the medical community and/or other agencies, the Board of School Trustees encourages these individuals to meet with the School Principal and/or Superintendent of Schools to discuss their disease and immediate and future needs.

1.2 Assessment

2. Students:

2.1. The Superintendent (or designate) will be informed, by the school principal as soon as is known, of any student infected with an infectious blood borne disease.

2.2. A Risk Assessment will be conducted using a team approach including the personal physician, public health personnel, the parent or guardian, and school district personnel as appropriate and will make recommendations about the type of educational and care setting based on the following:

- a. Behavior, neurological development and physical condition of the child;
- b. Type of interaction expected with others.
- c. What the potential is for exposure
- d. Areas for potential for exposure
- e. How exposure may happen
- f. Who needs to know?
- g. What will happen if there is a risk of exposure?

2.3. The team will consider the risk to others in the workplace, whether or not the individual is healthy enough to continue to attend school, and what precautions should be taken to ensure the safety and health of others.

a. The identity of infected students will remain confidential and restricted to those who need to know or are required to be informed.

2.4. Decisions on attendance at school are dependent on the circumstances of each individual case. Regular evaluation of the appropriateness of attendance will be conducted.

2.5. The Board will be notified immediately when the team considers the health condition of a student to be a danger to the immediate health and welfare of a school, its students or employees of the Board.

a. Upon being notified of the team's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

3. Employees

3.1. The Superintendent will be informed, by district staff as soon as is known, of any employee infected with an infectious blood borne disease.

3.2. Employees with an infectious blood borne disease, who are able to carry out the essential duties of their jobs in a satisfactory manner without posing a health or safety risk to themselves or others, will be entitled to continue their work.

3.3. Decisions regarding potential health or safety hazards will be made on a case-by-case basis in consultation with the employee, the personal physician and district personnel as appropriate.

3.4. The identity of infected employees will remain confidential and restricted to those who need to know or are required to be informed.

3.5. The Board will be notified immediately if the Superintendent considers the health condition of an employee to be a danger to the immediate health and welfare of a school, its students or other employees of the Board.

a. Upon being notified of the Superintendent's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

4. Hygienic Safety Practices

4.1. All employees will follow "Universal Infection Control Precautions" by assuming that blood and other body fluids from all individuals are potentially infectious. These precautions include:

- a. Routinely using gloves when anticipating contact with blood
- b. Immediately washing hands and other skin surfaces after removal of gloves and/or contact with blood

4.2. Schools will be provided with appropriate protective equipment including disposable waterproof gloves (natural rubber latex, neoprene, nitrile, or vinyl), tongs or pliers and proper sharps containers.

4.3. Schools' medical room mattresses will be either vinyl-coated beds or cloth mattress with a protective vinyl (plastic) covering so that they can be cleaned as needed with a bleach solution.

4.4. Blankets can be cleaned as needed by forwarding them, in a clearly labeled plastic bag, to the Assistant Supervisor Operations at the Facilities Office.

5. Universal Precautions

5.1. Universal Precautions to prevent transmission of blood-borne disease will be followed. Universal Precautions is the term for infection control measures endorsed by the Canadian Centre for Occupational Health and Safety for workers who might come into contact with blood and other body fluids. In summary they include:

- a. Wash hands for 30 seconds after contact with blood and other body fluids contaminated with blood.
- b. Wear disposable latex gloves when you encounter blood, body fluids, or when cleaning cuts, scrapes or wounds. Wash your hands as soon as you remove your gloves. Dispose gloves in a plastic bag.
- c. Use disposable absorbent material like paper towels to stop bleeding.
- d. Discard bloodstained material in a sealed plastic bag and deposit in the garbage. Label as containing blood-tainted material.
- e. Cover cuts or scrapes with a bandage until healed.
- f. Immediately protect staff and students from coming in contact with blood-soiled surfaces. The area must be disinfected with a fresh solution of one part bleach and nine-parts water (10% bleach solution).

Mops or brushes used for cleaning should be soaked in a bleach solution for 20 minutes.

(Note: The custodial department will provide each school with the product for dissolving in water to provide the bleach solution.)

6. Identification of Risks of Occupational Exposure

6.1. In accordance with the Occupational Health and Safety Regulations (section 6.35), the district's Health & Safety Coordinator will develop and maintain a list of positions and/or tasks and procedures where there is a potential for occupational exposure to a blood borne pathogen.

6.2. Employees who have, or may have, occupational exposure to the hepatitis B virus, will upon request, receive a hepatitis B vaccination (section 6.39, OH&S Regs).

6.3. Employees who may have been exposed to a blood borne pathogen in an exposure incident will be advised to immediately seek medical attention

Blood Borne Pathogen Incident Reporting Form and Exposure Control Plan

Policy 5141.22: Infectious Diseases

The Governing Board desires to protect students from risks posed by exposure to infectious diseases while providing an appropriate education for all students.

The Superintendent or designee shall determine whether to admit a student with an infectious disease, and shall exclude students only in accordance with law. In making this determination, he/she shall consult the student's parents/guardians, the student's physician and/or the county health department, in accordance with law and consistent with confidentiality provisions. Because bloodborne pathogens such as hepatitis B virus, hepatitis C virus and human immunodeficiency virus (HIV) are not casually transmitted, the sole presence of bloodborne pathogens is not sufficient reason to exclude students from attending school.

(cf. 5112.2 - Exclusions from Attendance)
(cf. 5141.26 - Tuberculosis Testing)
(cf. 5141.3 - Health Examinations)
(cf. 6158 - Independent Study)
(cf. 6159 - Individualized Education Program)
(cf. 6183 - Home/Hospital Instruction)

Parents/guardians are encouraged to inform the Superintendent or designee if their child has an infectious disease so that school staff may work cooperatively with the student's parents/guardians to minimize the child's exposure to other diseases in the school setting. The Superintendent or designee shall ensure that student confidentiality rights are strictly observed in accordance with law. No district employee shall release medical information, including knowledge of a bloodborne pathogen infection, without written consent from the parent/guardian or adult student. Such information shall be shared only with those persons specifically named in the written permission.

(cf. 5125 - Student Records)
(cf. 5022 - Student and Family Privacy Rights)

The Board requires students and staff to routinely observe universal precautions to prevent exposure to bloodborne pathogens and to prevent the spread of all infectious disease.

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)
(cf. 4119.43/4219.43/4319.43 - Universal Precautions)
(cf. 5141.23 - Infectious Disease Prevention)

The Superintendent or designee shall ensure that the district's health education program provides information about the nature of bloodborne pathogens and their transmission.

(cf. 5141.6 - Student Health and Social Services)
(cf. 6142.2 - Sexual Health and HIV/AIDS Prevention Instruction)
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Blood Borne Pathogens - Safety Practices

Procedures and Regulations

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- 6.3. Employees who may have been exposed to a blood borne pathogen in an exposure incident will be advised to immediately seek medical attention

Lugonia Elementary School



2024-2025

Safety Committee Meeting (Sept. 25, 2024 @ 2:15 pm)

AGENDA

- 1.) Welcome Introductions**
- 2.) Topic: Comprehensive School Safety Plan**
 - a.) Background/ History
- 3.) Divide Up Work:**
 - a.) revise /edit 2023-2024 plan
- 4.) Discuss Changes**
- 5.) Adopt Updated Version of Plan**
- 6.) Questions, Concerns, and Suggestions**

Lugonia Elementary School



2024-2025

Safety Committee Meeting (Sept. 25, 2024 @ 2:15 pm)

MINUTES

- 1.) Meeting started at 2:17pm
- 2.) Welcome Introductions
- 3.) Committee discussed the background and history of the Comprehensive School Safety Plan at Lugonia
- 4.) Committee divided up the work of revising the former (2023-2024) safety plan. Made changes wherever necessary.
- 5.) The Committee discussed changes to update the plan.
- 6.) Adopted Updated Version of Safety Plan (for 2024-2025)
 - a.) Mrs. Ynda made the motion to adopt revised Safety Plan
 - b.) Anne Preston (TK Teacher) 2nd the motion
- 7.) Questions, Concerns, and Suggestions:
 - a.) Dismissal: ideas were discussed to make dismissal run smoother at Lugonia
 - i.) car name tags
 - ii.) pick-up video made by student leaders and safety committee
 - iii.) a campus monitor at 7am for earliest arrivals
 - iv.) Crossing guard at dismissal
 - v.) ask RPD for volunteer officers to come out and be present
 - vi.) car seat kiddos at zone 2 (to save time)
- 8.) Meeting ended at 2:58pm

For Raptor tutorials,
please go to the Learning
Center in the Settings
section of your app.



Welcome to the Learning Center

Become more familiar with Raptor Alert by
taking a deeper dive into these sections.

Initiate an Emergency

View Messages and Share
Your Location

Initiate a Team Assist

Account for Yourself

Account for Your Students

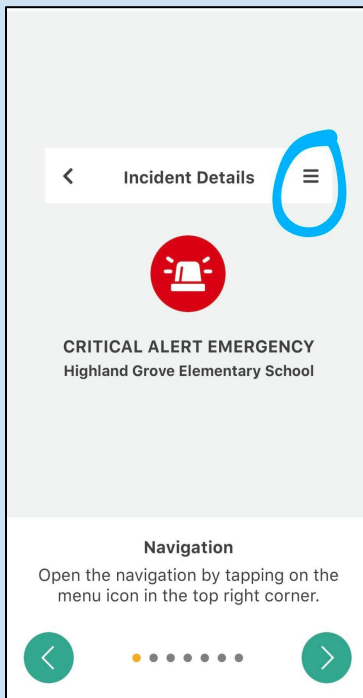
Initiate a Reunification

If you need help, come see Annie Ynda
with your phone!

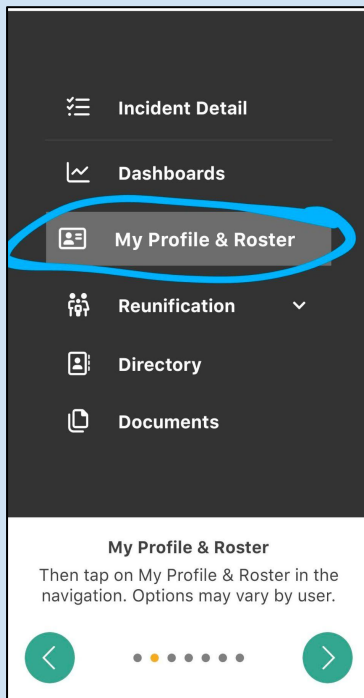


Raptor: When a drill or incident is initiated, account for yourself first.

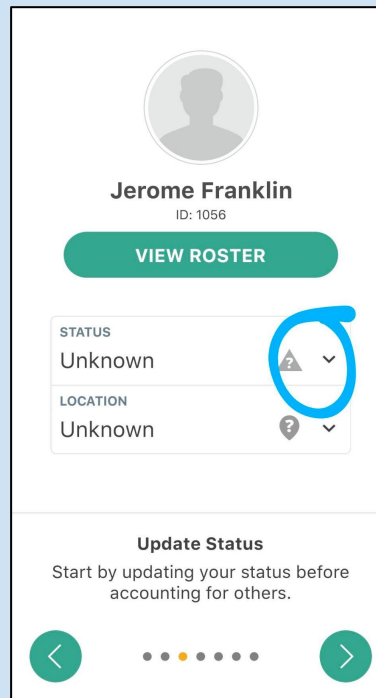
1. Click on the menu icon



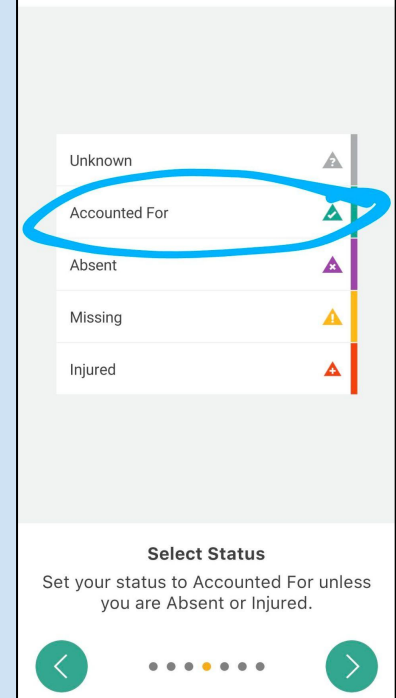
2. Select “My Profile & Roster”



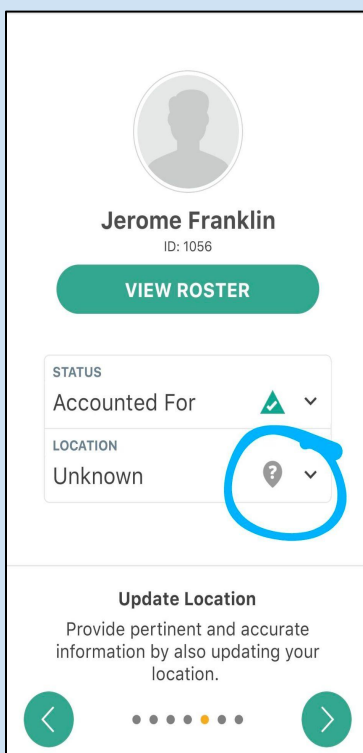
3. Update your status by clicking on the “carrot.”



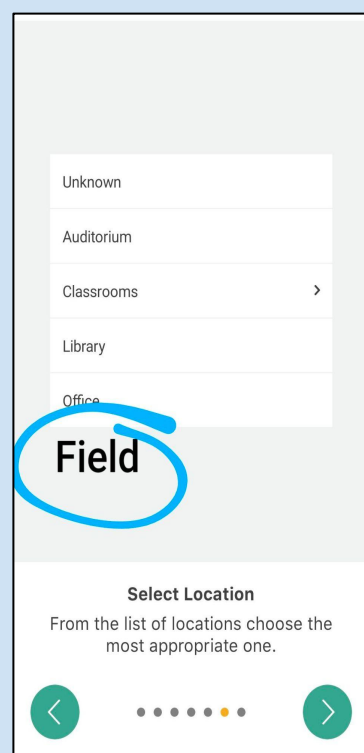
4. Select the appropriate status.



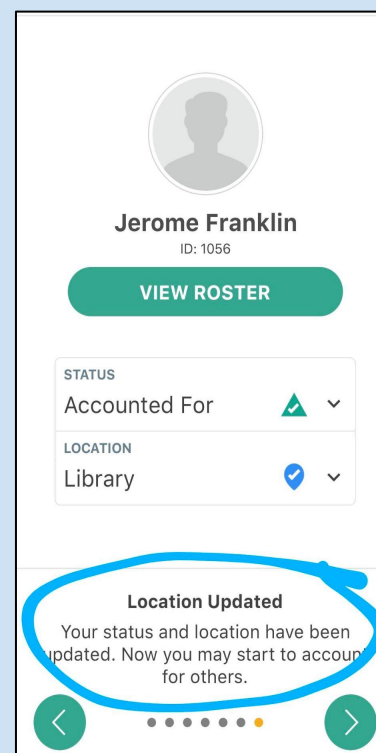
5. Next update your location by clicking on the “carrot.”



6. Select your location.
(Field when we are conducting a drill.)



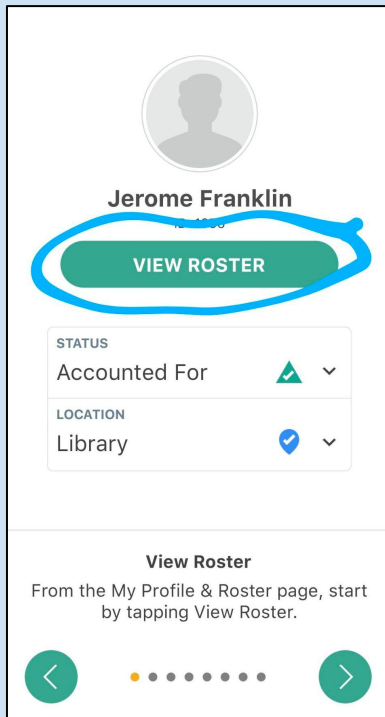
7. Your status and location should now be updated. If they are still grey, repeat the steps above.



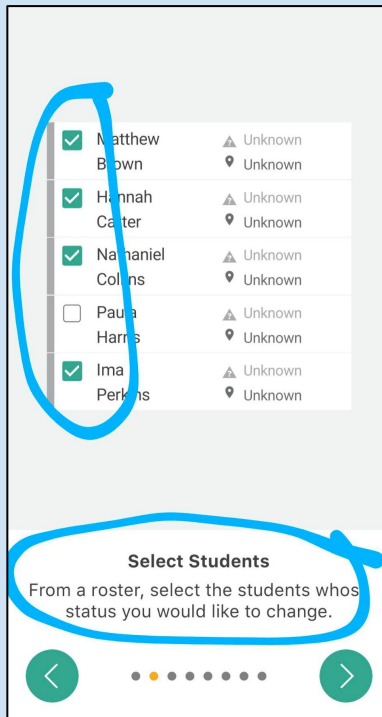
8. Move on to accounting for your students.

Raptor: accounting for your students

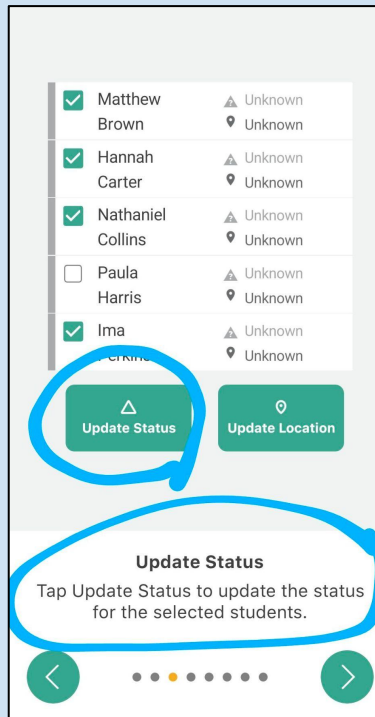
1. Click on “View Roster.”



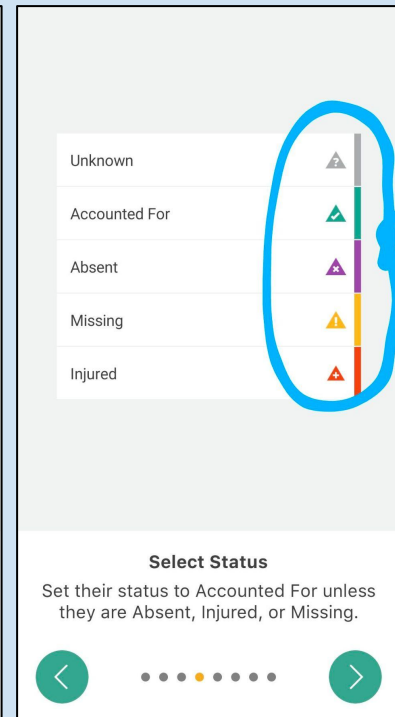
2. Select the students whose status you would like to change.



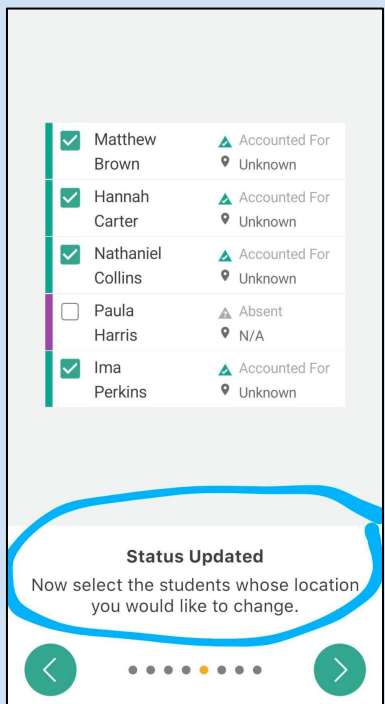
3. Tap “Update Status.”



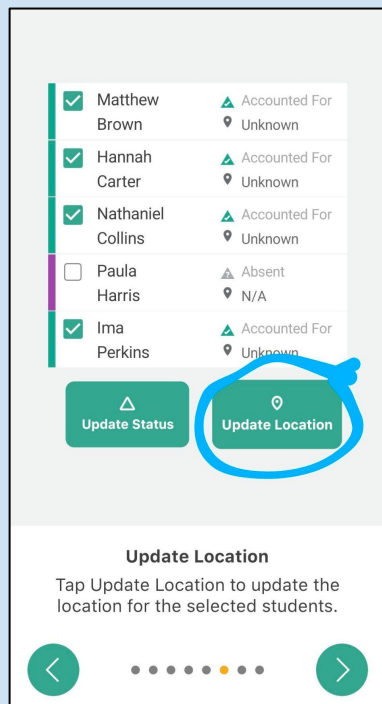
4. Select the correct status for the students you selected.



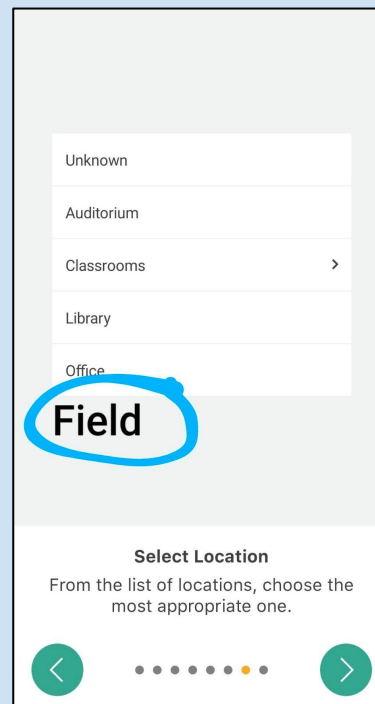
5. Select students in order to update location.



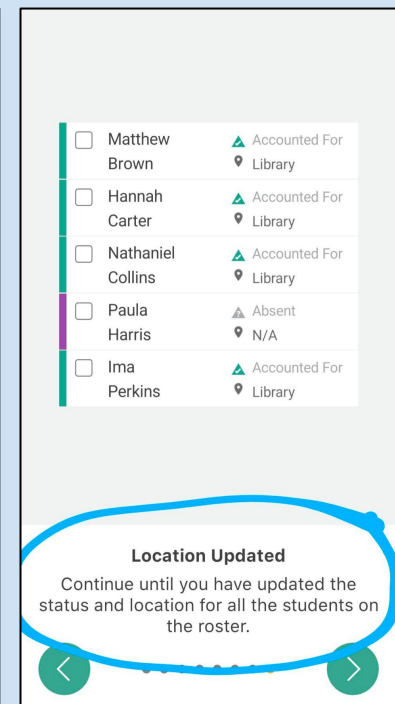
6. Select “Update Location.”



7. Select the location for those students.



8. Continue until you have accounted for all students on your roster.



Comprehensive School Safety Plan

**2024-2025
School Year**

School: Mariposa Elementary School
CDS Code: 36-67843-6036545
District: Redlands Unified School District
Address: 30800 Palo Alto Drive
Redlands, CA 92373
Date of Adoption: October 24, 2023
Date of Update: October 15, 2024
Date of Review:
- with Staff
- with Law Enforcement
- with Fire Authority

Approved by:

Name	Title	Signature	Date
Kristy Walker	Parent		
Michelle Johnson	Classified Staff		
Cheryl D'Amico	Certificated Staff		
Steffani Fisher	Parent		
Keara Gonzales	Certificated Staff		
Sarah Jones	Parent		
Kelly Hornung	Certificated Staff		
Larissa Gill	Principal		

School Site Council 10/15/24

[illegible]

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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 Mariposa School Office.

Safety Plan Vision

Mariposa Elementary School will provide a safe, orderly, and secure environment conducive to learning. Mariposa Elementary will create a school in which students will attend regularly and be safe from both physical and social-emotional harm. Mariposa Elementary School will work collaboratively with the District office and school board to identify, establish, and use strategies and programs to comply with school safety laws. Mariposa Elementary School will develop a plan to work cooperatively and collaboratively with parents, students, teachers, administrators, counselors, and community agencies, including law enforcement, to provide a safe and orderly school and neighborhood. Mariposa Elementary School will develop an academic program that will focus on high expectations of student performance and behavior in all aspects of the school experience. Mariposa Elementary School will work collaboratively with other elementary, middle schools, and high schools to assist in a smooth transition from one school level to another. Mariposa Elementary School will solicit the participation, views, and advice of teachers, parents, school administrators, and community members and use this information to promote the safety of our pupils, staff and community.

Components of the Comprehensive School Safety Plan (EC 32281)

Mariposa Elementary School Safety Committee

Assessment of School Safety

School crime is reported annually to the State of California. Mariposa works closely with Student Services and the Redlands Police Department to ensure compliance with all reporting, laws, and penal codes. A total of 16.8% of students were chronically absent and there were no students suspended for the 2021-2023 school year.

Strategies and Programs to Provide and Maintain a High Level of Safety (EC 32281(a)1, items A-J)

Introduction - School Profile

Mariposa Elementary School is one of twenty-four schools in the Redlands Unified School District with traditions dating back to 1965. Mariposa Elementary School has a diverse pupil student body and is served by a dedicated staff. Both staff and parents comment on the positive changes that are ongoing in our school.

Mariposa Elementary School faces challenges in maintaining a safe school. This section of the Comprehensive School Safety Plan will describe programs in place at our school as well as strategies and programs of our school site council for continued improvement in providing a safe, orderly, school environment conducive to learning.

School Crime Status and Reporting

School crime is reported annually to the State of California. Mariposa works closely with Student Services and the Redlands Police Department to ensure compliance with all reporting, laws, and penal codes. A total of 12% of students were chronically absent and there were no students suspended for the 2021-2022 school year.

Personal Characteristics of Students & Staff

(Additional Health and Welfare Data available from ICOE aggregated DAT surveys)

Mariposa Elementary School has an enrollment of 452 pupils in TK - 5th grades. Pupils from this school come from families with very stable family mobility. Approximately 46% of the pupils are in families receiving Aid to Families with Dependent Children that are eligible for free/reduce lunches. The ethnic makeup of the pupil population is 30 % Hispanic, 6.7 % Black, 50 % Caucasian and 20.9% students with disabilities. Our pupils have a variety of life experiences. Some pupils have recently arrived from foreign countries while others have never left their neighborhood.

Curriculum and Educational Activities

The course of study includes the basic core curriculum, physical education and enrichment classes such as physical education, art, and music..

Students have the opportunity to participate in noon and after-school activities. These include Chorus, Band, Orchestra, upper grade Intra-murals, reading intervention, math intervention, afterschool enrichment classes for all grades, workshops and afterschool GATE Art and Science enrichment classes..

Staff provides opportunities and additional activities open to students in the areas of drama production, band, choir, tennis, and community service.

(A) Child Abuse Reporting Procedures (EC 35294.2 [a] [2]; PC 11166)

Policy 5141.4: Child Abuse Prevention and Reporting

The Governing Board recognizes that the district has a responsibility to facilitate the prompt reporting of incidents of child abuse and neglect. The Superintendent or designee shall ensure that parents/guardians have access to procedures whereby they can report suspected child abuse at a school site to appropriate child protective agencies

The Superintendent or designee shall develop and implement regulations for use by employees in identifying and reporting child abuse

District employees shall report known or suspected incidents of child abuse in accordance with district regulations and state law. Employees shall cooperate with the child protective agencies responsible for reporting, investigating and prosecuting cases of child abuse.

(cf. 4112.9 - Signed Statements/Child Abuse Reporting Statements)

The Superintendent or designee shall provide training in child abuse identification and reporting for all certificated and classified personnel. (Penal Code 11165.7)

All employees trained in child abuse identification and reporting shall be given, as a part of that training, written notice of the child abuse reporting requirements and the employees' confidentiality rights. (Penal Code 11165.7)

In order to reduce or eliminate unfounded child abuse accusations directed at school employees, child abuse in service training shall include guidance in disciplining students and maintaining ethical relationships with them.

(cf. 3514 - Safety)

(cf. 5142 - Safety)

Duty to Report

Certificated employees and classified employees trained in child abuse identification and reporting shall report known or suspected child abuse to a child protective agency by telephone immediately or as soon as practically possible and in writing within 36 hours. The reporting duties are individual and cannot be delegated to another individual except under circumstances set forth in Penal Code 11166.

Definitions

Child Abuse includes the following:

1. A physical injury inflicted by other than accidental means on a child by another person.
2. Willful cruelty or unjustifiable punishment of a child, or willfully inflicting unjustifiable physical pain or mental suffering, or failure to safeguard a child from these injuries when the child is under a person's care or custody
3. Sexual abuse of a child
4. Neglect of a child or abuse in out-of-home care
5. Unlawful corporal punishment or injury resulting in a traumatic condition

Mandated Reporters are those people defined by law as child care custodians, health practitioners, child visitation monitors and employees of a child protective agency. Mandated reporters include virtually all school employees. The following school personnel are required to report:

Teachers, administrators, supervisors of child welfare and attendance, certificated student personnel employees, employees of care institutions, Headstart teachers, school psychologists, licensed nurses, counselors, presenters of child abuse prevention programs and those instructional aides or other classified employees trained in child abuse reporting.

Child Protective Agencies are those law enforcement and child protective services responsible for investigating child abuse reports, including the local police or sheriff department, county welfare or juvenile probation department and child protective services.

Reasonable Suspicion means that it is objectively reasonable for a person to entertain such a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his/her training and experience, to suspect child abuse. (Penal Code 11166)

Reporting Procedures

To report known or suspects child abuse, any employee (as defined above) shall report by telephone to the local child protective agency immediately. (Child Protective Services 921 County Center, 3 Court, Modesto, CA phone # 525- 6641)

The following information shall be given:

1. The name of the person making the report
2. The name of the child
3. The present location of the child
4. The nature and extent of any injury

Any other information requested by the child protective agency, including the information that led the mandated reporter to suspect child abuse.

When the verbal 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.

Within 36 hours of making the telephone report, the mandated reporter shall complete and mail to the local child protective agency a written report which includes a completed Department of Justice form (DOJ SS 8572).

Mandated reports may obtain copies of the above form either from the district or local child protective agency.

Instructions are included on the form, and reporters may ask the site administrator for help in completing and mailing it; however, the mandated reporter is personally responsible for ensuring that the written report is correctly filed.

Employees reporting child abuse to a child protective agency are encouraged, but not required, to notify the site administrator or designee as soon as possible after the initial verbal report by telephone. When so notified, the site administrator shall inform the Superintendent or designee.

Administrators so notified shall provide the mandated reporter any assistance necessary to ensure that reporting procedures are carried out in accordance with law and district regulations. At the mandated reporter's request, the principal may assist in completing and filing the form.

If the mandated reporter does not disclose his/her identity to a district administrator, he/she shall at least provide or mail a copy of the written report to the site administrator and the district without his/her signature or name.

Legal Responsibility and Liability

Mandated reporters have absolute immunity. School employees required to report are not civilly or criminally liable for filing a required or authorized report of known or suspected child abuse.

A mandated reporter who fails to report an instance of child abuse, which he/she knows to exist or reasonably should know to exist, is guilty of a misdemeanor and is punishable by confinement in jail for a term not to exceed six months or by a fine of not more than \$1,000 or both. The mandated reporter may also be held civilly liable for damages for any injury to the child after a failure to report

When two or more persons who are required to report have joint knowledge of suspected instance of child abuse, and when they so agree, the telephone report may be made by either of them and a single report made and signed by that person.

However, if any person who knows or should know that the person designated failed to make the report, that person then has a duty to make the report.

The duty to report child abuse is an individual duty and no supervisor or administrator may impede or inhibit such reporting duties. Furthermore, no person making such a report shall be subject to any sanction.

Victim Interview

Upon request, a child protective agency representative may upon request interview a suspected victim of child abuse during school hours, on school premises, concerning a report of suspected child abuse that occurred within the child's home. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. (Penal Code 11174.3)

A staff member or volunteer aide selected by a child may decline to be present at the interview. If the selected person accepts, the principal or designee shall inform him/her, before the interview takes place, of the following legal requirements:

1. The purpose of the selected person's presence at the interview is to lend support to the child and enable him/her to be as comfortable as possible.
2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the child.
4. The selected person is subject to the confidentiality requirements of the Child Abuse and Reporting Act, a violation of which is punishable as specified by Penal Code 11167.5.
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 or Child Protective Services Agent

When a child is released to a peace officer or child protective agency and taken into custody as a victim of suspected child abuse, the Superintendent and/or principal shall not notify the parent/guardian as required in other instances of removal of a child from school, but rather shall provide the protective agency with the address and telephone number of the child's parent/guardian. It is the responsibility of the peace officer or agent to notify the parent/guardian of the situation. (Education Code 48906)

Peace officer and child protective services agents will be asked to sign an appropriate release or acceptance of responsibility form.

(cf. 5145.11 - Questioning and Apprehension)

When School Employees are Accused of Child Abuse

Regardless of who child abusers may be, the major responsibilities of mandated reports are to 1) identify incidents of suspected child abuse, and 2) comply with laws requiring the reporting of suspected abuse to proper authorities. Determining whether or not the suspected abuse actually occurred is not the responsibility of the school employee. Such determination and follow-up investigation will be made by a child protective agency.

Pending outcome of an investigation by a child protective agency and before formal charges are filed, the employee may be subject to reassignment or a paid leave of absence.

Upon filing formal charges or upon conviction, the district may take disciplinary action in accordance with law, district policies, regulations and/or collective bargaining agreements. The Superintendent or designee shall seek legal counsel in connection with either the suspension or dismissal of the employee.

(cf. 4117.4 - Dismissal)
(cf. 4118 - Suspension/Disciplinary Action (Certificated))
(cf. 4218 - Suspension/Disciplinary Action (Classified))

Suspected Child Abuse Reporting Procedures

I. Initiating the Report

A. The report is initiated by a telephone report to the appropriate agency.

B. If the suspected child abuse has taken place within the family, call the Enter appropriate Agency Hotline at phone number, 1 (800) 827-8724

C. If the suspected child abuse has taken place outside the family, call the local police department at:

Highland Sheriff Police Department
Phone: (909) 425-9793

D. Content of call.

- 1) Name, address and age of child involved.
- 2) Clear description of suspected abuse.

II. Written Report

A. The telephone call is to be followed by completion of the Suspected Child Abuse Report (form 11166.P.C.). These forms are available in the Principal's office at the high school or you may access the form on line at:
http://ag.ca.gov/childabuse/pdf/ss_8572.pdf for a form or immediately call (909) 384-9233 to file a report.

B. The written report is to be addressed to the person to whom the telephone report was made.

C. The written report must follow the phone call within 36 hours.

1. Suspected child abuse within the family,
Agency: Children and Family Services
Address: 150 S. Lena Road, San Bernardino, California 92415

2. Suspected child abuse outside the family should be mailed to the agency to which the report was called -

Adopted: 10/2005
Highland Sheriff Police Department
Phone: (909)425-9793

The reporting party should keep the yellow copy of the Suspected Child Abuse Report form (SS8572) or verification of completion of the reporting obligation.

Caution:

1. The reporting responsibility has not been discharged until both the telephone call and written reports are complete.
2. School personnel are not to engage in any investigation of suspected cases. The investigation will be done by the child protective services office.
3. The reporting responsibility is an individual one which is NOT discharged by report to supervisors or administrators.

(B) Disaster Procedures (EC 35295-35297; GC 8607 and 3100)

Disaster Plan (See Appendix C-F)

Each classroom, office, library, and room on campus has a posting of the emergency procedures near the exit door. Emergency procedures are also posted in each classroom notebook which is reviewed at the beginning of the school year for updates. Fire Drills are practiced each month of the school year. Earthquake drills are practiced four times a year and Lock Down drills are practiced yearly.

Public Agency Use of School Buildings for Emergency Shelters

(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines

Policy 5144.1: Suspension And Expulsion/Due Process

Suspension and Expulsion

The Governing Board recognizes that maintaining an environment which promotes learning and protects the health, safety, and welfare of all students may require the suspension or expulsion of a student from regular classroom instruction. District policies and school site rules shall clearly identify district behavior standards

(cf. 5144 - Discipline)

Except in cases where suspension for a first time offense is warranted in accordance with law, suspension shall be imposed only when other means of correction fail to bring about proper conduct. (Education Code 48900.5)

Expulsion is an action taken by the Board for severe or prolonged breaches of discipline by a student. Except for single acts of a grave nature, expulsion is usually used only when there is a history of misconduct, when other forms of discipline, including suspension, have failed to bring about proper conduct, or when the student's presence causes a continuing danger to other students. (Education Code 48915)

The grounds for suspension and expulsion and the procedures for considering, recommending and/or implementing suspension and expulsion shall be specified in Administrative Regulation.

Each principal shall annually inform all students and parents/guardians of the school's discipline rules and procedures and of the availability of all district policies and regulations dealing with student discipline, suspension and expulsion. (Education Code 35291, 35291.5)

(cf. 5145.6 - Parental Notifications)

Suspended or expelled students shall be excluded from all school-related extracurricular activities during the suspension or expulsion.

cf. 6145 - Extracurricular and Cocurricular Activities)

Zero Tolerance

The Board supports a zero tolerance approach to serious offenses in accordance with state and federal law. This approach makes the removal of potentially dangerous students from the classroom a top priority and ensures the standardized treatment of all students. Staff shall immediately report to the Superintendent/ designee any incidence of offenses specified in law, Board policy, and administrative regulation as cause for suspension or expulsion.

Student Due Process

The Board shall provide for the fair treatment of students facing suspension and expulsion by affording them their due process rights under the law. The administration and staff shall comply with procedures for notices and appeals as specified in regulation. Procedures governing student due process shall conform in all aspects to provisions in law. (Education Codes 48911, 48915 and 48915.5)

Whenever a student is suspended, school officials may (but are not required to) meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

cf. 5119 - Students Expelled from Other Districts

(cf. 5144.2 - Suspension and Expulsion/Due Process - Individuals with Exceptional Needs)

Rights of Complaining Witness

An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental or emotional needs of a student who is the complaining witness. (Education Code 48918.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Educational Code 48918.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies
3. Have a closed hearing during the time he/she testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48918.5)

On-Campus Suspension Program

The Board recognizes that students who are suspended from school frequently have no supervision or guidance during the school hours when they are off campus. The Board believes that in many cases, instead of sending the student off campus, it would be better to address the student's misconduct by keeping the student at school and providing him/her with supervision that is separated from the regular classroom.

The Superintendent or designee shall examine alternatives to off-campus suspension and may establish a suspension program which involves progressive discipline during the school day on campus; using conferences between staff, parents/guardians and students; detention; student study teams or other assessment-related teams; and/or referral to school support services staff.

Required Parental Attendance

The Board believes that parental involvement plays an important role in the resolution of classroom behavior problems. The Board expects that teachers will communicate with parents/guardians when behavior problems arise

Whenever a student is suspended from a class because he/she committed an obscene act, engaged in habitual profanity or vulgarity, disrupted school activities or otherwise willfully defied valid staff authority, the teacher of the class from which the student was suspended may require the student's parent/guardian to attend a portion of a school day in that class. After completing the classroom visit and before leaving school premises, the parent/guardian also shall meet with the principal or designee. (Education Code 48900.1)

The Board encourages teachers, before requiring parental attendance, to make reasonable efforts to have the parent/guardian visit the class voluntarily. The teacher also may consider informing the parent/guardian about available resources which may provide help in the development of parenting skills. Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the student and the parent/guardian and to improve classroom behavior.

Parental attendance may be required on the day the student returns to class or within one week thereafter. The principal or designee shall contact any parents/guardians who do not respond to the request to attend school. The Board recognizes that parental compliance with this policy may be delayed, modified or prevented by serious illness/injury/disability, absence from town, or inability to get certain release time from work.

The teacher shall apply this policy uniformly to all students within the classroom. This policy shall apply only to a parent/guardian who actually lives with the student. (Education Code 48900.1)

District regulations and school-site rules for student discipline shall include procedures for implementing parental attendance requirements.

Parents/guardians shall be notified of this policy before it is implemented and at the beginning of each subsequent school year. (Education Code 48900.1, 35291, 48980)

Decision Not to Enforce Expulsion Order

In cases where expulsion is mandatory pursuant to Education Code 48915(c), the enforcement of an expulsion order shall not be suspended by the Board. In all other cases of expulsion, the order for expulsion may be suspended by the Board, on a case-by-case basis, pursuant to the requirements of law.

Definitions

Suspension from school means removal of a student from on going 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, nor referral to a certificated employee designated by the principal to advise students, nor removal from the class without reassignment to another class or program for the remainder of the period, without sending the student to the principal or designee.

2. Removal from a particular class shall not occur more than once every five school days. (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)

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

School property, for the purposes described in Education Code 48900, includes, but is not limited to, electronic files and databases. (Education Code 48900(s))

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, suspension and expulsion. Transfer students and their parents/guardians shall be notified at the time of enrollment. (Education Code 35291.5, 48900.1, 48980)

(cf. 5144 -Discipline)

(cf. 5145.6 Parental Notifications)

Notification shall include information about the ongoing availability of individual school rules and all district policies and regulations pertaining to student discipline. (Education Code 35291)

(cf. 5145.6 -Parental Notifications)

Grounds for Suspension and Expulsion

Students may be suspended or recommended for expulsion when the Superintendent, principal, or principal's designee at the school in which the student is enrolled determines that the student has done any of the acts listed below:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense. (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However, a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code Board Policy Manual Redlands Unified School District 48900(s))

2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48900(b))

(cf. 5131 - Conduct)

(cf. 5131.7 - Weapons and Dangerous Instruments)

3. Unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of, any controlled substance as defined in the Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind. (Education Code 48900(c))

(cf. 5131.6 -Alcohol and Other Drugs)

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance or material and represented same as controlled substance, alcohol beverage or intoxicant. (Education Code 48900(d))

5. Committed or attempted to commit robbery or extortion. (Education Code 48900(e))

6. Caused or attempted to cause damage to school property or private property. (Education Code 48900(f))

7. Stole or attempted to steal school property or private property. (Education Code 48900(g))

8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products with prior approval of the principal or designee. (Education Code 48900(h))

9. Committed an obscene act or engaged in habitual profanity or vulgarity. (Education Code 48900(i))

10. Unlawfully possessed, or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code. (Education Code 48900(j))

11. Disrupted school activities or otherwise willfully defied 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))

12. Knowingly received stolen school property or private property. (Education Code 48900(1))
13. Possessed an imitation firearm, i.e., 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))
14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code 243.4. (Education Code 48900(n))
15. 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))
16. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug soma. (Education Code 48900(p))
17. Engaged in, or attempted to engage in, hazing as defined in Education Code 32050. (Education Code 48900(q))
18. Made terrorist threats against school officials and/or school property. (Education Code 48900.7)

A student in grades 4 through 12 is also subject to suspension or recommendation for expulsion when it is determined that he/she:

19. Committed sexual harassment as defined in Education Code 212.5. (Education Code 48900.2)
20. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 33032.5. (Education Code 48900.3)
21. 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 Glasswork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment (Education Code 48900.4)

(cf. 5145.3 -Nondiscrimination/Harassment)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent/principal or within any other school district, including but not limited to the following circumstances:

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.

The Superintendent/principal may use his/her discretion to provide alternatives to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program. (Education Code 48900(r))

cf. 5138 -Conflict Resolution/Peer Mediation)

Alternatives to suspension or expulsion will be used against students who are truant, tardy, or otherwise absent from assigned school activities.

(cf. 5113 -Absences and Excuses)

(cf. 5113.1 - Truancy)

Suspension from Class by a Teacher/Parental Attendance

A teacher may suspend any student from the teacher's class for any of the acts listed under "Grounds for Suspension and Expulsion" above for the day of the suspension and the day following. (Education Code 48910)

Suspension from class means the removal of a student from class by a teacher for the day of the suspension and the next day. A teacher may suspend a student from class and may also refer a student for consideration of suspension from school for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

When suspending a student from his/her class, the teacher shall immediately report this action to the principal and send the student to the principal for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been suspended.

As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the suspension. A counselor or psychologist should attend the conference if it is practicable, and a school administrator may attend if either the parent/guardian or teacher so request.

A suspended student shall not be returned to class during the period of suspension without the approval of the teacher of the class and the principal. (Education Code 48910)

A student suspended from class shall not be placed in another regular class during the period of suspension. However, if a student is assigned to more than one class per day, he/she may be placed in any 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 suspended student to complete any assignments and tests missed during the suspension. (Education Code 48913)

When a teacher requires a parent/guardian to attend school in accordance with Board Policy, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is required pursuant to law. (Education Code 48900.1)

1. This notice shall also tell the parent/guardian when his/her presence is expected and by what means he/she may arrange any necessary change.
2. The notice shall describe the protections afforded to the parent/guardian as an employee by Labor Code 230.7.
3. The notice shall state that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student.

The teacher shall remind the parent/guardian to meet with the principal or designee after completing the classroom visit and before leaving school premises.

Suspension By Superintendent, Principal Or Principal's Designee

A Superintendent, principal, or principal's designee may suspend a student from a school for any of the acts listed under "Grounds for Suspension and Expulsion" above for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

The Superintendent or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife, as defined in Education Code 48915(g), at another person.

3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.

4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item 414 under "Grounds for Suspension and Expulsion" above.

5. Possession of an explosive as defined in 18 USC 921.

Suspension may be imposed upon a first offense if the Superintendent, principal or designee determines the student violated items (i) - (v) listed in "Grounds For Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903 and 48912)

Suspension Procedures

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the principal or designee or the Superintendent or designee between 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 and the evidence against him/her and shall be given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911(b))

This conference may be omitted if the principal, designee or the Superintendent or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or school personnel. If the pre-suspension conference is not held, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference will be held as soon as the student is physically able to return to school. (Education Code 48911(c))

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior

A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee, who in turn will inform the Board.

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 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 also state the date and time when the student may return to school.

Should school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may also add that state law requires the parent/guardian to respond to such request without delay.

4. Parent/Guardian Conference: Whenever a student is suspended, school officials may meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such conference. The student may not be denied readmission solely because the parent/guardian failed to attend. (Education Code 48911)

5. Extension of Suspension: If the expulsion of a suspended student is being considered by the Board, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision. (Education Code 48911(g))

Any extension of the original period of suspension shall be 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. Extension of the suspension may be made only if 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(g))

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal or Principal's 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 if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. 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 may hold closed sessions if a public hearing would lead to disclosure of information which would violate a student's right to privacy under Education Code 49073-49079.

(cf. 9321 -Closed Session Purposes and Agendas)

The Board shall provide the student with written notice of the closed session by registered or certified mail. Upon receiving this notice the student 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 shall be in closed session. (Education Codes 48912)

Authority to Expel

A student may be expelled only by the Board. The Board shall expel, as required by law, any student found to have committed certain offenses listed below under "Mandatory Recommendation and Mandatory Expulsion."

The Board may also order a student expelled for any of the acts listed above under "Grounds for Suspension and Expulsion" upon recommendation by the principal, Superintendent, hearing officer or administrative panel, based on finding either or both of the following: (Education Code 48915(b) and (e))

1. That other means of correction are not feasible
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

Mandatory Recommendation For Expulsion

The principal, Superintendent or designee shall recommend a student's expulsion for any of the following acts, unless the principal or Superintendent or designee finds, and reports in writing to the Board, that expulsion is inappropriate due to particular circumstances which shall be set out in the report of the incident:

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife as defined in Education Code 48915(g), explosive 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 the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee.

Mandatory Recommendation And Mandatory Expulsion

The principal, Superintendent or designee shall recommend that the Board expel any student found at school or at a school activity off school grounds to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48915(c).1)
2. Brandishing a knife as defined in Education Code 48915(g) at another person. (Education Code 48915(c).2)
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058. (Education Code 48915(c).3)
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above. (Education Code 48915(c).4)
5. Possessing an explosive as defined in 18 USC 921.

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

Student's Right to Expulsion Hearing

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred. (Education Code 48918(a))

The student is entitled to 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 district's discretion. (Education Code 48918(a))

If the district finds it impracticable 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))

Once the hearing starts, all matters shall be pursued with reasonable diligence and concluded without unnecessary delay. (Education Code 48918(a))

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 48915.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Education Code 48915.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing.

2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies.
3. Have a closed hearing during the time he/she testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48915.5)

Written Notice of the Expulsion Hearing

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least ten 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. A parent/guardian of a student expelled for acts described in paragraphs through 4 of Education Code 48915(a), seeks enrollment in another district they must inform the new district of the students status with the expelling district, pursuant to Education Code 48915.1.

(cf. 5119 -Students Expelled from Other Districts)

5. The opportunity for the student or the student's parent/guardian to appear in person or to employ and be represented by counsel.
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.

Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and Education Code 35145, the Board shall conduct the hearing or arrange for an alternative 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 request is made, the meeting shall be public

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to deliberate and determine if the student should be expelled. If the Board admits any other person to the closed session, the parent/guardian, the student, counsel of the student and counsel of the parent/guardian shall also be allowed to attend the closed session. (Education Code 48918(c))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to have his/her testimony heard in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including but not limited to videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

2. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, so long as a reasonably accurate written and complete transcription of the proceedings can be made. (Education Code 48918(g))

3. Presentation of Evidence: While technical rules of evidence do not apply to such hearings, 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 must be supported by substantial evidence that the student committed any of the above acts listed under "Grounds for Suspension and Expulsion" above. Findings of fact shall be based solely on the evidence at the hearing.

While no evidence 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) and

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 Witness: The following procedures shall be observed when hearings involve allegations of sexual assault or sexual battery by a student: (Education Code 48918)

- a. Any complaining witness shall be given five days' notice before being called to testify.
- b. Any complaining witness shall be entitled to have up to two adult support persons, including but not limited to a parent/guardian or legal counsel, present during his/her testimony.
- c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- e. If one or both support persons are also witnesses, the hearing shall be conducted according to Penal Code 868.5.
- f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard.

Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.

g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.

(1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.

(2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.

(3) The person conducting the hearing may:

- (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness.
- (b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
- (c) Permit one of the support persons to accompany the complaining witness to the witness stand.

6. Decision Within Ten Days: The Board's decision on whether to expel a student shall be made within ten school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

7. Decision Within 40 Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative 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. Alternatively, the Board may 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(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified in "Conduct of Expulsion Hearing" above.

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 student shall be immediately reinstated. (See "Reinstatement" below.) The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers and with the student's parent/guardian. (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))

The hearing officer or administrative panel may recommend that the Board suspend the expulsion for a period of one year. (See "Suspension of Expulsion" below.)

The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Stipulated Expulsions

It is the policy of the Redlands Unified School District that, where approved by the Superintendent or designee, parents/guardians may agree to the expulsion of their pupil by stipulation without necessity of a hearing. This process will expedite the pupil's school placement and may expedite the rehabilitation process.

A stipulated expulsion must be purely voluntary. No district administrator or staff member may coerce a pupil, parent or guardian into entering into such a stipulation. Parents/guardians will be given three calendar days to decide on a stipulated expulsion agreement.

If the parent/guardian requests a stipulated expulsion, the Superintendent or designee will promulgate the stipulated agreement. If at any time the parent/guardian decides not to pursue a stipulated agreement, the expulsion proceedings and timelines, extended by the length of the period for consideration of the stipulation, will be reinstated. The stipulated agreement will be presented to the Board for final consideration.

The stipulated agreement will include the terms and conditions of the expulsion order, including alternative placement and a rehabilitation plan to be completed before the student can be re-admitted to the district.

Final Action by the Board

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel, the final action to expel must be taken by the Board at a public meeting. (Education Code 48918(f)) The Board shall maintain a record of each expulsion, including its cause. Expulsion records shall be non-privileged, disclosable public records.

(cf. 9321.1 - Closed Session Actions and Reports)

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

Upon ordering the 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 an act listed under "Mandatory Recommendation and Mandatory Expulsion" above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. (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 of the student at the time of review for readmission.
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service and other rehabilitative programs.
3. Such other recommendations as the Board approves.

With parental 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)

Upon expulsion, a copy of readmission procedures will be made available to the student and his/her parent/guardian.

Written Notice to Expel

The Superintendent or designee shall send written notice of the decision to expel to the student or parent/guardian. The notice shall include the following:

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed in Education Code 48900(a)-(o), Education Code 48900.2-48900.4 and Education Code 48915(c). (Education Code 48900.8)
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian. (Education Code 48916)
3. Notice of the right to appeal such expulsion to the County Board of Education. (Education Code 48918)
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion. (Education Code 48918)
5. The notice also shall inform the student or parent/guardian of his/her 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)

Suspension of Expulsion

The Board, upon voting to expel a student, may suspend the enforcement of the expulsion order for not more than one calendar year. When deciding whether to suspend an expulsion, the Board shall take into account the following criteria:

1. The student's previous behavior.
2. The seriousness of the misconduct.
3. The student's attitude toward the misconduct and his/her willingness to follow a rehabilitation program.

The suspension of the enforcement of an expulsion shall be governed by the following: (Education Code 48917)

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.
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status.
3. The suspension of expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion" above or violates any of the district's rules and regulations governing student conduct.
4. When suspension of expulsion order is revoked, a student may be expelled under the terms of the original expulsion order
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expungement of any or all records of the expulsion proceedings.
6. Suspension 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 of Education.
7. 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 also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education. (Education Code 48918(i))

Right to Appeal

The student or parent/guardian is entitled to file an appeal of the Board's decision to the County Board of Education.

The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion action is suspended and the student is placed on probation. (Education Code 48919)

Post-Expulsion Placements

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 such a site.
3. Not housed at the school site attended by the student at the time of suspension.

(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for acts described in items #6 through # 13 and # 17 through # 19 under "Grounds for Suspension and Expulsion" above may be instead referred to a program of study that is provided at another comprehensive middle, junior, or senior high school, or at an elementary school.

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)

Reinstatement

When the Board accepts a recommendation against expulsion or makes its own decision after the hearing not to expel, the decision is final and the student shall be reinstated immediately. The Superintendent or designee shall place the student in any classroom program, other instructional program, rehabilitation program, or any combination of such programs following consultation with district personnel, including the teacher involved, and with the student's parent/guardian. (Education Code 48918(e))

Readmission

An expulsion order shall remain in effect until the Board may order the readmission of the student.

Readmission procedures shall be as follows:

1. A written request for review of expulsion action and request for readmission shall be submitted by the parent/guardian to the Superintendent or designee.
2. The Superintendent or designee will hold a conference with the parent/guardian and the student.
3. At the conference the conditions for readmission will be reviewed. The Superintendent or designee shall verify that the rehabilitation plan has been met.
4. School regulations will be reviewed and the student and parent/guardian will be asked to indicate in writing their willingness to comply with these regulations.
5. The Superintendent or designee will transmit the request for readmission to the Board, along with his/her recommendation. The Board shall consider the request in closed session if the information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it will be honored.
6. The Superintendent or designee will notify the student or parent/guardian, by registered mail, of the district's decision regarding readmission.
7. 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)
8. 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. (Education Code 48916)
9. 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)

Maintenance of Records

The Board will maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls, within five days of a written request by the admitting school. (Education Code 48900.8, 48918(k))

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district. (Education Code 48915.1)

cf. 5119 - Students Expelled from Other Districts)

(cf. 5125 - Student Records)

Notifications and Reports

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering or sale of controlled substances, alcohol, or intoxicants of any kind.

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 also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

Outcome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion.
2. The specific grounds for each recommended expulsion.
3. Whether the student was subsequently expelled.
4. Whether the expulsion order was suspended.
5. The type of referral made after the expulsion.
6. The disposition of the student after the end of the expulsion period.

Suspension and Expulsion/Due Process

Redlands Unified
Administrative Regulation
AR 51441
Adopted June 27, 1995
Students

Definitions

Suspension from school 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. Removal from a particular class shall not occur more than once every five school days.

Expulsion means removal of a student from the immediate supervision and control, or the general supervision, of school personnel. (Education Code 48925)

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian or legal counsel. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

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, suspension and expulsion. Transfer students and their parents/guardians shall be notified at the time of enrollment. (Education Code 35291.5, 48900.1, 48980)
(cf. 5144 - Discipline)

Notification shall include information about the ongoing availability of individual school rules and all district policies and regulations pertaining to student discipline. (Education Code 35291)
(cf. 5145.6 - Parental Notifications)

Grounds for Suspension and Expulsion

A student may be subject to suspension or expulsion when it is determined that he/she:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense. (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aide or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code 48900(s))

2. Possessed, sold, or otherwise furnished any firearm. Knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48900(b))
(cf. 5131 - Conduct)
(cf. 5131.7 - Weapons and Dangerous Instruments)

3. Unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of, any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind. (Education Code 48900(c))
(cf. 5131.6 - Alcohol and Other Drugs)

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid, substance or material and represented same as controlled substance, alcohol beverage or intoxicant. (Education Code 48900(d))

5. Committed or attempted to commit robbery or extortion. (Education Code 48900(e))

6. Caused or attempted to cause damage to school property or private property. (Education Code 48900(f))

7. Stole or attempted to steal school property or private property. (Education Code 48900(g))

8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products (Education Code 48900(h))

9. Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))

10. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5. (Education Code 48900(j))

11. Disrupted school activities or otherwise willfully defied 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))

12. Knowingly received stolen school property or private property. (Education Code 48900(l))

13. Possessed an imitation firearm, i.e., 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))

14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code 243.4. (Education Code 48900(n))

15. 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))

16. Made terrorist threats against school officials and/or school property. (Education Code 48900.7)

Pursuant to Education Code 48900.7, the making of a terrorist threat includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person or property damage in excess of \$1,000.00, 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.

A student in grades 4 through 12 is also subject to suspension or recommendation for expulsion when it is determined that he/she:

17. Committed sexual harassment as defined in Education Code 212.5. (Education Code 48900.2)

Pursuant to Education Code 48900.2 the conduct constitutes harassment when considered from the perspective of a reasonable person of the same gender as the victim to be 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.

(cf. 5145.7 - Sexual Harassment)

18. 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)

(cf. 5145.9 - Hate-Motivated Behavior)

Education Code 233 defines "hate violence" as any act punishable under Penal Code 422.6, 442.7 or 422.75. Such acts include injuring or intimidating another person, interfering with the exercise of a person's civil rights, or damaging a person's property because of the person's race, color, religion, ancestry, national origin, disability, gender or sexual orientation.

19. Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading student rights by creating an intimidating or hostile educational environment. (Education Code 48900.4)

(cf. 5145.3 - Nondiscrimination/Harassment)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent or principal or within any other school district, including but not limited to the following circumstances: (Education Code 48900)

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.

The Superintendent or principal may use his/her discretion to provide alternative to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program. (Education Code 48900(r))

Alternatives to suspension or expulsion will be used with students who are truant, tardy, or otherwise absent from assigned school activities.

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Truancy)

Removal from Class by a Teacher/Parental Attendance

A teacher may suspend any student from his/her class for the remainder of the day and the following day for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

A teacher also may refer a student to the principal or designee for consideration of suspension from school. (Education Code 48910)

When removing a student from his/her class, the teacher shall immediately report this action to the principal and send the student to the principal for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been removed.

As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the removal. A counselor or psychologist should attend the conference if it is practicable, and a school administrator may attend if either the parent/guardian or teacher so requests.

A student removed from class shall not be returned to class during the period of removal without the approval of the teacher of the class and the principal. (Education Code 48910)

A student removed from class shall not be placed in another regular class during the period of removal. However, if a student is assigned to more than one class per day, he/she may be placed in any other regular classes except those held at the same time as the class from which the student was removed. (Education Code 48910)

The teacher of any class from which a student is removed may require the student to complete any assignments and tests missed during the removal. (Education Code 48913)

Pursuant to Board policy, a teacher may provide that the parent/guardian of a student whom the teacher has removed attend a portion of a school day in his/her child's classroom. When a teacher makes this request, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is requested pursuant to law. (Education Code 48900.1)

This notice shall also:

1. Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternate date.
2. Describe the legal protections afforded to the parent/guardian as an employee under Labor Code 230.7.
3. State that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student.
4. Ask the parent/guardian to meet with the principal after the visit and before leaving school, as required by Education Code 48900.1.

Suspension by Superintendent, Principal or Principal's Designee

The Superintendent, principal or principal's designee may suspend a student from a school for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

The Superintendent or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife, as defined in Education Code 48915(g), at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion".
5. Possession of an explosive as defined in 18 USC 921.

Suspension also may be imposed upon a first offense if the Superintendent, principal or designee determines the student violated items #1-5 listed in "Grounds for Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903, 48912)

The Superintendent or designee may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which a student may be suspended in any school year. (Education Code 48903)

Suspensions shall be initiated according to the following procedures:

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the principal, designee or the Superintendent 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 and the evidence against him/her; the student shall be given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911(b))

This conference may be omitted if the principal, designee or the Superintendent determines that an emergency situation exists. An "emergency situation" involves 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 a conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference will be held as soon as the student is physically able to return to school. (Education Code 48911(c))

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee.

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 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 also state the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may add that state law requires the parent/guardian to respond to such requests without delay.

4. Parent/Guardian Conference: Whenever a student is suspended, school officials may meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such conference. The student may not be denied readmission solely because the parent/guardian failed to attend. (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. (Education Code 48911(g))

Any extension of the original period of suspension shall be 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. Extension of the suspension may be made only if 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)

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal or Principal's 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 if any of the acts listed in “Grounds for Suspension and Expulsion” occurred. 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 closed sessions if a public hearing would lead to disclosure of information violating a student’s right privacy under Education Code 49073-49079.

(cf. 9321 - Closed Session Purposes and Agendas)

The Board shall provide the student and his/her parent/guardian with written notice of the closed session by or certified mail. 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 Codes 35146, 48912)

On-Campus Suspension Program

Students for whom an expulsion action has not been initiated and who pose no imminent danger or threat to the school may be assigned to a separate, supervised suspension classroom for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

1. The supervised suspension classroom shall be staffed in accordance with law.
2. The student shall have access to appropriate counseling services.
3. The supervised suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.
4. Each student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom. The teacher 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 a supervised 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 shall be made in writing. (Education Code 48911.1)

Authority to Expel

A student may be expelled only by the Board. The Board shall expel, as required by law, any student found to have committed certain offenses listed below under “Mandatory Recommendation and Mandatory Expulsion.”

The Board also may order a student expelled for any of the acts listed under “Grounds for Suspension and Expulsion” upon recommendation by the principal, Superintendent, hearing officer or administrative panel, based on finding 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.

Mandatory Recommendation for Expulsion

Unless the principal, Superintendent or designee finds that expulsion is inappropriate due to particular circumstances, the principal, Superintendent or designee shall recommend a student’s expulsion for any of the following acts: (Education Code 48915 (a))

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife as defined in Education Code 48915(g), explosive or other dangerous object of no reasonable use to the student.
3. Unlawful possession of any controlled substance, as listed in the Health and Safety Code 11053-11058, except for the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee.

Mandatory Recommendation and Mandatory Expulsion

Note: The Attorney General has determined, in 80 Ops.Cal. Atty. Gen. 347 (1997), that a district may not adopt a zero tolerance policy mandating expulsion of a student for a first offense of possession of a controlled substance or alcohol.

The principal, Superintendent or designee shall recommend that the Board expel any student found at school or at a school activity to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife as defined in Education Code 48915(g) at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above.
5. Possessing an explosive as defined in 18 USC 921.

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

The initial recommendation for consideration of expulsion is that of the school principal or the Superintendent. Designees may not make this type of recommendation.

The recommendation for consideration of expulsion shall be submitted to the Director, Office of Student Services, who will review the material and recommend:

1. Reassignment to appropriate regular education program.
2. Refer student to Alternative Program; i.e., Community School, Independent Study, Continuation or Opportunity School, or other district programs.
3. Refer the matter to the Discipline Review Panel for further consideration.

When a case is referred to the discipline Review Panel, the panel shall question school personnel who have information on the incident and the behavior record of the student charged and weighs the evidence presented.

The panel shall, in the case of an expulsion consideration, weigh information presented to determine:

- a. Is the evidence sufficient to support consideration by the expulsion panel?
- b. Has the district, through the schools involved, considered or utilized alternatives to expulsion when possible?
- c. Have due process procedures been adhered to?

The recommendation shall be either to proceed with the expulsion or to utilize an existing practical alternative in lieu of expulsion.

If the district (school) has not adhered to due process requirements, the student shall be returned to school immediately.

If the Discipline Review Panel meets to consider a matter other than an expulsion, it shall provide its best judgment as to an effective alternative program or plan to action.

The recommendation of the Discipline Review Panel shall be forwarded to the Director, Office of Student Services, who shall then review the facts, concur, veto or modify the recommendation.

4. That an expulsion panel be convened.

At the time a recommendation for expulsion is submitted, a hearing shall be scheduled by the Superintendent or designee to determine whether the suspension shall be extended. If the decision is to extend the suspension, the period of time shall be until the Board has rendered a decision or until the expulsion process is otherwise terminated.

The extension of suspension shall be based upon determination by the Superintendent or designee that the presence of the student at the school or in an alternative school placement would cause a danger to persons or property or a threat of disrupting the instructional process. This extension shall be imposed only after the student and the parent/guardian have been given the opportunity to be present at a hearing conducted by the Superintendent or designee. At this time, the student and parent/guardian shall be given the opportunity to be heard and present any information that might bear upon the decision.

Materials which support the decision of the person recommending the expulsion shall be prepared and submitted to the Office of Student Services. The departments of Attendance, Guidance, Special Education and/or Health may be requested to assist in the preparation of this material.

Student's Right to Expulsion Hearing

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred. (Education Code 48918 (a))

The student is entitled to 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 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 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 no 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))

Waiver of Hearing (Default Proceedings)

If the parent/guardian agrees that their son/daughter behaved essentially in the manner stated in the principals letter recommending expulsion and that such behavior constitutes a violation of the California Education Code, Section 48900, 48900.2, 48900.3, 48900.4, 48900.7 and/or 48915 a suspendable/expellable offense, the parent/guardian may request to waive the Administrative Hearing Panel.

When the parent/guardian agrees to waive the Administrative Hearing Panel, they also waive all notification and timelines related to the expulsion hearing process, along with their rights to appeal the determination of the Board.

The signed affidavit and findings of fact will be submitted to the Board for their approval. The Board has the discretionary power to accept, reject, or modify all recommendations.

Rights of Complaining Witness

An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental or emotional needs of a student who is the complaining witness. (Education Code 48918.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to all the following: (Education Code 48918.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing.
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies.
3. Have a closed hearing during the time he/she testifies.

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48918.5)

Written Notice of the Expulsion Hearing (Education Code 48918(b))

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least 10 calendar days before the date of the hearing. The notice shall include: (Education Code 48900.8, 48918 (b))

1. The date and place of the hearing.
2. A statement of the specific facts, charges and offense upon which the proposed expulsion is based.
3. A copy of district disciplinary rules which relate to the alleged violation.
4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment. This obligation applies when a student is expelled for acts other than those described in Education Code 48915 (a) or (c).
(cf. 5119 - Students Expelled from other Districts)

5. The opportunity for the student or the student's parent/guardian to appear in person and/or be represented by legal counsel or by a non-attorney advisor.

Legal counsel means an attorney or lawyer who is admitted to the practice of law in California and is an active member of the State Bar of California.

Non-attorney advisor 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.

Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and 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 request is made, the meeting shall be public, unless another student's privacy rights would be violated.

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to determine if the student should be expelled. If the Board admits any other person to the closed session, the parent/guardian, the student, and the counsel of the student, shall also be allowed to attend the closed session. (Education Code 48918(c))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to have his/her testimony heard in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including but not limited to videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

2. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate written and complete transcription of the proceedings can be made. (Education Code 48918(g))

3. Subpoenas: Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with the Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20, formerly 11525. (Education Code 48918(i))

Any objection raised by the student or the Superintendent or designee to the issuance of subpoenas may be considered by the Board in closed session, or in open session if so requested by the student, before the meeting. The Board's decision in response to such an objection shall be final and binding. (Education Code 48918(i))

If the Board determines, or if the hearing officer or administrative panel finds and submits to the Board, that a witness would be subject to unreasonable risk of harm by testifying at the hearing, a subpoena shall not be issued to compel the personal attendance of that witness at the hearing. However, that witness may be compelled to testify by means of a sworn declaration as described in item #4 below. (Education Code 48918(i))

4. Presentation of Evidence: While technical rules of evidence do not apply to expulsion hearings, 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 must be supported by substantial evidence that the student committed any of the acts listed in "Grounds for Suspension and Expulsion" above.

Findings of fact shall be based solely on the evidence at the hearing. While no evidence 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) and (h))

In cases where a search of a student's person or property has occurred, evidence describing the reasonableness of the search shall be included in the hearing record.

5. Testimony by Complaining Witnesses: The following procedures shall be observed when hearings involve allegations of sexual assault or sexual battery by a student: (Education Code 48918)

- a. Any complaining witness shall be given five days' notice before being called to testify.
- b. Any complaining witness shall be entitled to have up to two adult support persons, including but not limited to a parent/guardian or legal counsel, present during his/her testimony.
- c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- e. If one or both support persons are also witnesses, the hearing shall be conducted according to Penal Code 868.5.
- f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.
- g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.
 - (1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.
 - (2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.
 - (3) The person conducting the hearing may:
 - (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness.
 - (b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
 - (c) Permit one of the support persons to accompany the complaining witness to the witness stand.

6. Decision Within 10 Days: The Board's decision on whether to expel a student shall be made within 10 school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

7. Decision Within 40 Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

Instead of conducting an expulsion hearing itself, the Board may contract with the county hearing officer or with the Office of Administrative Hearings of the State of California for a hearing officer. Alternatively, the Board may 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(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified in "Conduct of Expulsion Hearing."

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 student shall be immediately reinstated. (See "Reinstatement.") The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers, and with the student's parent/guardian. (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 for a period of one year. (See "Decision Not to Enforce Expulsion Order" below.)

The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

The Discipline Review Panel

The Discipline Review Panel will consist of elementary educators when a review is being made of an elementary student and of secondary educators when a review is being made of secondary student.

1. The Discipline Review Panel shall hear the following types of disciplinary cases:
 - a. Requests for expulsion from site principals or the Superintendent.
 - b. School site administrative requests for assistance (non-expulsion situations).
2. Each discipline review panel shall consist of three certificated persons plus a chairperson and shall consist of elementary educators when a review is being made of an elementary student and of secondary educators when a review is being made of a secondary student. A panelist may not serve on any panel involving a student who is currently attending the school in which he/she is assigned. A representative from Student Services shall be a nonvoting member of each panel.

A chairperson and assistant chairperson, to serve when the chairperson is unable to serve, shall be appointed by the Superintendent or designee and shall serve at his/her pleasure. Neither shall be a member of the Student Services staff.

A pool of panelists shall be established which shall be composed of personnel who have served or are currently serving as members of administrative expulsion panels. The committee chairman shall select members to serve on individual panels.

The meetings of the discipline review panel are open to school district personnel only.

The duties of the Discipline Review Panel are as follows:

1. The chairperson shall call a meeting of the panel as soon as possible, but no later than 10 school days after the receipt of notice of a pending case.
2. A recommendation must be forwarded to the Director, Office of Student Services, within three days of the review hearing.
3. In the event a member of the committee cannot be present at a meeting, the Director, Office of Student Services, will appoint an alternate from the pool to attend.

Final Action by the Board

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel, the final action to expel shall be taken by the Board at a public meeting. (Education Code 48918(j))

(cf. 9321.1 - Closed Session Actions and Reports)

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

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 an act listed under “Mandatory Recommendation and Mandatory Expulsion” above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. (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 of the student at the time of review for readmission.
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service and other rehabilitative programs.

With parental 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 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 in Education Code 48900 (a)-(o), Education Code 48900.2-48900.4, Education Code 48915 (c) and (Education Code 48900.8).
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian. (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Governing Board. (Education Code 48918)
4. Notice of the alternative educational placements 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 Not to Enforce Expulsion Order

In accordance with Board policy, when deciding whether to suspend the enforcement of an expulsion, the Board shall take into account the following criteria:

1. The student’s pattern of behavior.
2. The seriousness of the misconduct.
3. The student’s attitude toward the misconduct and his/her willingness to follow a rehabilitation program.

The suspension of the enforcement of an expulsion shall be governed by the following: (Education Code 48917)

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.
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status.
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” above or violates any of the district’s rules and regulations governing student conduct.
4. When the suspension of the enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order.
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings.
6. 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 County Board of Education.

7. 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 also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education. (Education Code 48918 (j))

Right to Appeal

The student or parent/guardian is entitled to file an appeal of the Board's decision to the County Board of Education. The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion action is suspended and the student is placed on probation. (Education Code 48919)

Post-Expulsion Placements

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 such a site.
3. Not housed at the school site attended by the student at the time of suspension.

(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for acts described in items #6 through #13 and #17 through #19 under "Grounds for Suspension and Expulsion" may be instead 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

Readmission procedures shall be as follows:

1. On the date set by the Board when it ordered the expulsion, the district shall consider readmission of the student. (Education Code 48916)
2. 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.
3. The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session if information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it shall be honored.
4. 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.
5. 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)
6. 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. (Education Code 48916)
7. 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)

Maintenance of Records

The Board shall maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls, within five days of a written request by the admitting school. (Education Code 48900.8, 48918(k))

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district. (Education Code 48915.1)

(cf. 5119 - Students Expelled from Other Districts)

(cf. 5125 - Student Records)

Notifications 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 also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering or sale of controlled substances, alcohol, or intoxicants of any kind. (Education Code 48902)

Ouome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion.
2. The grounds for each recommended expulsion.
3. Whether the student was subsequently expelled.
4. Whether the expulsion order was suspended.
5. The type of referral made after the expulsion.
6. The disposition of the student after the end of the expulsion period.

Regulation: REDLANDS UNIFIED SCHOOL DISTRICT

Approved: June 27, 1995, Redlands, California

(D) Procedures to Notify Teachers of Dangerous Pupils (EC 49079)

Mariposa faculty receives notifications through Raptor Alerts, emails, and all calls. The Mariposa community is notified through Parent Square, texts, and emails.

(E) Sexual Harassment Policies (EC 212.6 [b])

Policy 4119.11: Sex Discrimination and Sex-Based Harassment

Original Adopted Date: 09/13/1994 | Last Revised Date: 08/27/2024 | Last Reviewed Date: 08/27/2024

The Governing Board is committed to providing a safe work environment that is free of harassment and intimidation. The Board prohibits sexual harassment against district employees by anyone, in any manner, and prohibits retaliatory action or behavior against any persons who complains, testifies, or otherwise participates in the complaint process established pursuant to this policy and accompanying administrative regulation. This policy shall apply to all district employees, interns, volunteers, contractors, job applicants, and other persons with an employment relationship with the district.

(cf. 0410 - Nondiscrimination in District Programs and Activities) (cf. 4030 - Nondiscrimination in Employment)

Sexual harassment includes, but is not limited to, harassment that is based on the sex, gender, gender identity, gender expression, or sexual orientation of the victim and harassment based on pregnancy, childbirth, or related medical conditions.

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation, and correction of sexual harassment, including but not limited to:

1. Providing training to all staff in accordance with law and administrative regulation.
2. Publicizing and disseminating the district's sexual harassment policy to staff.
3. Ensuring prompt, thorough, equitable, and fair investigation of complaints
4. Taking timely and appropriate corrective/remedial actions which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments.

The Superintendent or designee shall periodically evaluate the effectiveness of the district's strategies to prevent and address harassment. Such evaluation may involve conducting regular anonymous employee surveys to assess whether harassment is occurring or is perceived to be tolerated, partnering with researchers or other agencies with the needed expertise to evaluate the district's prevention strategies, and using any other effective tool for receiving feedback on systems and/or processes. As necessary, changes shall be made to the harassment policy, complaint procedures, or training.

Sexual Harassment Reports and Complaints

Any district employee who feels that he/she has been sexually harassed in the performance of their district responsibilities or who has knowledge of any incident of sexual harassment by or against another employee shall immediately report the incident to his/her supervisor, the principal, other district administrator, or the district's Title IX Coordinator. However, an employee may bypass his/her supervisor in filing a complaint if the supervisor is the subject of the complaint. A supervisor, principal, or district administrator who receives a harassment complaint shall promptly notify the Title IX Coordinator.

Once notified, the Title IX Coordinator shall ensure the complaint or allegation is addressed through AR 4119.12/4219.12/4319.12 – Title IX Sexual Harassment Complaint Procedures or AR 4030- Nondiscrimination in Employment, as applicable. Because a complaint or allegation that is dismissed or denied under the Title IX complaint procedure may still be subject to consideration under state law, the Title IX Coordinator shall ensure that any implementation of AR 4119.12/4219.12/4319.12 concurrently meets the requirements of AR 4030.

Notwithstanding the above, BP/AR 4119.12/4219.12/4319.12 and 4030 shall under no circumstances be used to resolve complaints brought by, on behalf of, or against students. All complaints brought by, on behalf of, or against students that allege “sexual harassment” as that term is defined in the federal regulations implementing Title IX of the Education Amendments of 1972 (see 34 C.F.R. § 106, et seq.) shall be investigated and resolved under BP/AR 5145.71. All complaints brought by, on behalf of, or against students that do not meet the definition of “sexual harassment” as set forth in the Title IX implementing regulations shall be investigated and resolved under BP/AR 1312.3.

(cf. 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaints)

The Title IX Coordinator shall offer supportive measures to the complainant and respondent, as deemed appropriate under the circumstances.

Upon investigation of a sexual harassment complaint, any district employee who engages, or participates in sexual harassment, or who aids, abets, incites, compels, or coerces another to commit sexual harassment in violation of this policy is subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Reports) (cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4218 -

Regulation 4119.12: Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures

The complaint procedures described in this administrative regulation shall be used to address any complaint governed by Title IX of the Education Amendments of 1972 alleging that a district employee, while in an education program or activity in which a district school exercises substantial control over the context and respondent, was subjected to one or more of the following forms of sexual harassment: (34 CFR 106.30, 106.44)

1. A district employee conditioning the provision of a district aid, benefit, or service on a person's participation in unwelcome sexual conduct

2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity

3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291 (cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

All other sexual harassment complaints or allegations shall be investigated and resolved in accordance with AR 4030 - Nondiscrimination in Employment. The determination of whether the allegations meet the definition of sexual harassment under Title IX shall be made by the district's Title IX Coordinator. (cf. 4030 - Nondiscrimination in Employment)

Because the complainant has a right to pursue a complaint under AR 4030 for any allegation that is dismissed or denied under the Title IX complaint procedure, the Title IX Coordinator shall ensure that all requirements and timelines for AR 4030 are concurrently met while implementing the Title IX procedure.

Reporting Allegations/Filing a Formal Complaint

An employee who is the alleged victim of sexual harassment may submit a report of sexual harassment to the district's Title IX Coordinator using the contact information listed in AR 4119.11/4219.11/4319.11 - Sexual Harassment or to the employee's direct supervisor or other district administrator, who shall forward the report to the Title IX Coordinator within one day of receiving the report.

Upon receiving such a report, the Title IX Coordinator shall inform the complainant of the right to file a formal complaint and the process for filing a formal complaint.

A formal complaint, with the complainant's physical or digital signature, may be filed with the Title IX Coordinator in person, by mail, by email, or by any other method authorized by the district. (34 CFR 106.30)

Even if the alleged victim chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations when a safety threat exists. In addition, the Title IX Coordinator may file a formal complaint in other situations as permitted under the Title IX regulations, including as part of the district's obligation to not be deliberately indifferent to known allegations of sexual harassment. In such cases, the Title IX Coordinator shall provide the alleged victim notices as required by the Title IX regulations at specific points in the complaint process.

The Title IX Coordinator, investigator, decision-maker, or a facilitator of an informal resolution process shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. Such persons shall receive training in accordance with 34 CFR 106.45. (34 CFR 106.45)

Supportive Measures

Upon receipt of a report of Title IX sexual harassment, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures and shall consider the complainant's wishes with respect to the supportive measures implemented. Supportive measures shall be offered as appropriate, as reasonably available, and without charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures shall be nondisciplinary, nonpunitive, and not unreasonably burden the other party, including measures designed to protect the safety of all parties or the district's educational environment or to deter sexual harassment. Supportive measures may include, but are not limited to,

counseling, extensions of deadlines, modifications of work schedules, mutual restrictions on contact, changes in work locations, leaves of absence, increased security, and monitoring of certain areas of the campus. (34 CFR 106.30, 106.44)

The district shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the district's ability to provide the supportive measures. (34 CFR 106.30)

Emergency Removal

If a district employee is the respondent, the employee may be placed on administrative leave during the pendency of the formal complaint process. (34 CFR 106.44)

If the respondent is a student, the district may, on an emergency basis, remove the student from the district's education program or activity, provided that the district conducts an individualized safety and risk analysis, determines that removal is justified due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations, and provides the student with notice and an opportunity to challenge the decision immediately following the removal. This authority to remove a student does not modify a student's rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973. (34 CFR 106.44)

Dismissal of Complaint

The Title IX Coordinator shall dismiss a formal complaint if the alleged conduct would not constitute sexual harassment as defined in 34 CFR 106.30 even if proved. The Title IX Coordinator shall also dismiss any complaint in which the alleged conduct did not occur in the district's education program or activity or did not occur against a person in the United States, and may dismiss a formal complaint if the complainant notifies the district in writing that the complainant would like to withdraw the complaint or any allegations in the complaint, the respondent is no longer employed by the district, or sufficient circumstances prevent the district from gathering evidence sufficient to reach a determination with regard to the complaint. (34 CFR 106.45)

Upon dismissal, the Title IX Coordinator shall promptly send written notice of the dismissal and the reasons for the dismissal simultaneously to the parties and shall inform them of their right to appeal the dismissal of a formal complaint or any allegation in the complaint in accordance with the appeal procedures described in the section "Appeals" below. (34 CFR 106.45)

If a complaint is dismissed, the conduct may still be addressed pursuant to AR 4030 - Nondiscrimination in Employment as applicable.

Informal Resolution Process

When a formal complaint of sexual harassment is filed, the district may offer an informal resolution process, such as mediation, at any time prior to reaching a determination regarding responsibility. The district shall not require a party to participate in the informal resolution process or to waive the right to an investigation and adjudication of a formal complaint. (34 CFR 106.45)
The district may facilitate an informal resolution process provided that the district: (34 CFR 106.45)

1. Provides the parties with written notice disclosing the allegations, the requirements of the informal resolution process, the right to withdraw from the informal process and resume the formal complaint process, and any consequences resulting from participating in the informal resolution process, including that records will be maintained or could be shared.

2. Obtains the parties' voluntary, written consent to the informal resolution process

Written Notice
If a formal complaint is filed, the Title IX Coordinator shall provide the known parties with written notice of the following: (34 CFR 106.45)

1. The district's complaint process, including any informal resolution process

2. The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known. Such notice shall be provided with sufficient time for the parties to prepare a response before any initial interview.

If, during the course of the investigation, new Title IX allegations arise about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.

3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding

responsibility is made at the conclusion of the complaint process

4. The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an attorney, and the ability to inspect and review evidence

5. The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process

The above notice shall also include the name of the investigator, facilitator of an informal process, and decision-maker and shall inform the parties that, if at any time a party has concerns regarding conflict of interest or bias regarding any of these persons, the party should immediately notify the Title IX Coordinator.

Investigation Procedures

During the investigation process, the district's designated investigator shall: (34 CFR 106.45)

1. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence

2. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence

3. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney

4. Not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding, although the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as the restrictions apply equally to both parties

5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate

6. Send in an electronic format or hard copy to both parties and their advisors, if any, the evidence obtained as part of the investigation that is directly related to the allegations raised in the complaint, and provide the parties at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report

7. Objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and determine credibility in a manner that is not based on a person's status as a complainant, respondent, or witness

8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review and written response

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. (34 CFR 106.45)

Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.

If the complaint is against an employee, rights conferred under an applicable collective bargaining agreement shall be applied to the extent they do not conflict with the Title IX requirements.

Written Decision

The Superintendent shall designate an employee as the decision-maker to determine responsibility for the alleged conduct, who shall not be the Title IX Coordinator or a person involved in the investigation of the matter. (34 CFR 106.45)

After the investigative report has been sent to the parties but before reaching a determination regarding responsibility, the decision-

maker shall afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. The decision-maker shall issue, and simultaneously provide to both parties, a written decision as to whether the respondent is responsible for the alleged conduct. (34 CFR 106.45)

The written decision shall be issued within 60 calendar days of the receipt of the complaint.

The timeline may be temporarily extended for good cause with written notice to the complainant and respondent of the extension and the reasons for the action. (34 CFR 106.45)

In making this determination, the decision-maker shall use the "preponderance of the evidence" standard for all formal complaints of sexual harassment. (34 CFR 106.45)

The written decision shall include the following: (34 CFR 106.45)

1. Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR 106.30
 2. A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the district includes hearings as part of the grievance process
 3. Findings of fact supporting the determination
 4. Conclusions regarding the application of the district's code of conduct or policies to the facts
 5. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's educational program or activity will be provided by the district to the complainant
 6. The district's procedures and permissible bases for the complainant and respondent to appeal Appeals
- Either party may appeal the district's decision or dismissal of a formal complaint or any allegation in the complaint, if the party believes that a procedural irregularity affected the outcome, new evidence is available that could affect the outcome, or a conflict of interest or bias by the Title IX Coordinator, investigator(s), or decision-maker(s) affected the outcome. If an appeal is filed, the district shall: (34 CFR 106.45)

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties
2. Ensure that the decision-maker(s) for the appeal is trained in accordance with 34 CFR 106.45 and is not the same decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator
3. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging,

the outcome

4. Issue a written decision describing the result of the appeal and the rationale for the result
5. Provide the written decision simultaneously to both parties

An appeal must be filed in writing within 10 calendar days of receiving the notice of the decision or dismissal, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered.

A written decision shall be provided to the parties within 20 calendar days from the receipt of the appeal.

Either party has the right to file a complaint with the U.S. Department of Education's Office for Civil Rights within 180 days of the date of the most recently alleged misconduct.

The complainant shall be advised of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal antidiscrimination laws, if applicable.

Remedies

When a determination of responsibility for sexual harassment has been made against the respondent, the district shall provide remedies to the complainant. Such remedies may include the same individualized services described above in the section "Supportive Measures," but need not be nondisciplinary or nonpunitive and need not avoid burdening the respondent. (34 CFR 106.45)

Disciplinary Actions

The district shall not impose any disciplinary sanctions or other actions against a respondent, other than supportive measures as described above in the section "Supportive Measures," until the complaint procedure has been completed and a determination of responsibility has been made. (34 CFR 106.44)

When an employee is found to have committed sexual harassment or retaliation, the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Report)

(cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4119.11/4219.11/4319.11 - Sexual Harassment) (cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Record-Keeping

The Superintendent or designee shall maintain, for a period of seven years: (34 CFR 106.45)

1. A record of all reported cases and Title IX investigations of sexual harassment, any determinations of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary sanctions imposed, any remedies provided to the complainant, and any appeal or informal resolution and the results therefrom.

2. A record of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment, including the district's basis for its conclusion that its response was not deliberately indifferent, the measures taken that were designed to restore or preserve equal access to the education program or activity, and, if no supportive measures were provided to the complainant, the reasons that such a response was not unreasonable in light of the known circumstances.

3. All materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process. The district shall make such training materials publicly available on its web site, or if the district does not maintain a web site, available upon request by members of the public.

(cf. 1113 - District and School Web Sites) (cf. 3580 - District Records)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex 48900 Grounds for suspension or expulsion

48900.2 Additional grounds for suspension or expulsion; sexual harassment 48985 Notices, report, statements and records in primary language

CIVIL CODE

51.9 Liability for sexual harassment; business, service and professional relationships 1714.1 Liability of parents/guardians for willful misconduct of minor GOVERNMENT CODE

12950.1 Sexual harassment training CODE OF REGULATIONS, TITLE 5

4600-4670 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs UNITED STATES CODE, TITLE 20

1092 Definition of sexual assault 1221 Application of laws

1232g Family Educational Rights and Privacy Act

1681-1688 Title IX of the Education Amendments of 1972 UNITED STATES CODE, TITLE 34

12291 Definition of dating violence, domestic violence, and stalking UNITED STATES CODE, TITLE 42

1983 Civil action for deprivation of rights

2000d-2000d-7 Title VI, Civil Rights Act of 1964

2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy

106.1-106.82 Nondiscrimination on the basis of sex in education programs COURT DECISIONS

Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567 Flores v. Morgan Hill Unified School District, (2003, 9th Cir.)

324 F.3d 1130 Reese v. Jefferson School District, (2000, 9th Cir.) 208 F.3d 736

Davis v. Monroe County Board of Education, (1999) 526 U.S. 629 Gebser v. Lago Vista Independent School District, (1998) 524 U.S.

274 Oona by Kate S. v. McCaffrey, (1998, 9th Cir.) 143 F.3d 473

Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447

Management Resources:

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

Policy REDLANDS UNIFIED SCHOOL DISTRICT
Adopted: February 9, 2021

(F) School-wide Dress Code Relating to Gang-Related Apparel (EC 35183)

Policy 5132.16: Student Dress Guidelines

The Governing Board believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Students' clothing must not present a health or safety hazard or a distraction which would interfere with the educational process.

Students and parents/guardians shall be informed about dress and grooming standards at the beginning of the school year and whenever these standards are revised. A student who violates these standards shall be subject to appropriate 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 dress code may be included as part of the school safety plan and must be presented to the Board for approval. The Board shall approve the plan upon determining that it is necessary to protect the health and safety of the school's students.

Uniforms

The Board recognizes that, in order to promote student safety and discourage peer rivalry and/or gang activity, the principal, staff and parent/guardian at a school site may wish to establish a reasonable dress code, which may include voluntary school uniforms.

Dress codes, which include voluntary school uniforms, may be included as part of the school safety plan submitted as required.

The Superintendent or designee shall establish procedures that schools, parents and guardians will follow if they decide to participate with the voluntary school uniform policy. Students shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardian decide not to participate.

The Governing Board feels that there is nothing inherently wrong with dress or color of dress, but when student's dress serves to intimidate or impede the rights of other students it will be determined that dress is in violation of this policy. A student may not remain at school dressed in a manner which (1) creates a safety hazard for said student or for other students at school, and/or (2) when the dress constitutes a serious and unnecessary distraction to the learning process or tends to disrupt campus order

When the site administrator/designee determines that a student's attire is in violation of this policy, the student will be required to modify his/her clothing and/or apparel in such a manner that it no longer violates this policy. If necessary, the student may be taken or sent home with parental permission to modify unacceptable dress and return to school. Refusal to take steps as described in this policy shall be cause for disciplinary action against the student. Any such disciplinary action shall be handled pursuant to existing student disciplinary policy

Parents/guardians have primary responsibility to see that students are properly attired for school. School district personnel have the responsibility for maintaining proper and appropriate conditions conducive to learning. Hence, the following guidelines will be implemented in all district schools.

1. Shoes will be worn at all times. A substantial sole is required and enclosed toe and heel footwear are highly encouraged.
2. Extremely brief garments that are distracting to the educational environment are not appropriate. Clothing shall be sufficient to conceal undergarments at all times.

3. Clothing or accessories shall be free of writing, pictures or any other insignia which are crude, violent, obscene or sexually suggestive or which advocate racial, ethnic or religious prejudice or the use of tobacco, drugs or alcohol.
4. Earrings, jewelry, or accessories which present a safety hazard to the wearer or others are not suitable for school wear.
5. Only prescription sunglasses may be worn in class. Other types of sunglasses may be worn on campus outside of class.
6. Identified gang attire such as bandannas, haircuts or hair rollers, or any gang paraphernalia are prohibited.

Students are allowed to wear sun protective clothing, including hats, while outdoors during the school day. Each school site will develop a policy indicating the type of sun protective hats that are permitted.

No grade of a student participating in a physical education class shall be adversely affected if the student does not wear standardized physical education apparel because of circumstances beyond the student's control. (Education Code 49066) All clothing worn during physical education shall meet reasonable safety standards.

The purpose of adopting these Student Dress Guidelines is not to infringe on any individual student's rights to freedom of expression, but rather to encourage students to dress appropriately and come to school properly prepared for participating in the educational process.

Gang-Related Apparel

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed as needed and updated as necessary.

Uniforms

In schools where a majority of parents respond and indicate on a survey that they desire to establish a voluntary school-wide uniform dress code, the principal, staff and the parents/guardians of the individual school site shall:

1. Jointly select the specific uniform to be worn. (Education Code 35183)
2. Describe the uniform parts and identify local vendors who sell those pieces of clothing. A description of the implementation of the voluntary uniform dress code will be submitted to the superintendent's designee including:
 - a. The process for parent notification
 - b. Positive procedures that will be used to encourage students to participate with the voluntary uniform dress code
3. A description of the uniform and a list of costs for each competitively priced item of clothing as provided by a variety of vendors will be sent to parents.
4. Parents will be notified that this is a voluntary uniform dress code and that students not participating shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardians so decide.

Parent Notification

The principal shall give parents/guardian at least six months notice before a school site implements a voluntary school uniform dress code. (Education Code 35183)

(G) Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School (EC 35294.2)

Mariposa Elementary School has two points of access for ingress and egress before and after school. All gates are opened and monitored by a school employee. Once the school day commences, all gates are locked. During the operation of school hours, Mariposa Elementary remains a single point of entry through the school office. All school personal and volunteers report in at the beginning of the day or upon their arrival.

(H) A Safe and Orderly School Environment Conducive to Learning (EC 35294.2)

Component:

Physical Environment

The Schools' Location and Physical Environment

Mariposa Elementary School is located in the Redlands Police Department area of San Bernardino County that has an average crime rate and average poverty level. The immediate area round the school includes residential housing and hilly, open land. Present safety hazards include displaced wild animals such as coyote and/or reptiles and possibility of fire or landslides due to hilly land covered with vegetation..

Description of School Grounds

The school site encompasses approx. 20 acres. The grounds are grass, concrete and asphalt and includes basketball and volleyball courts, baseball diamonds and a lined track. There are several wings and/or clusters of classrooms including 17 classrooms 10 relocatable classrooms. Other ancillary structures include offices for speech, psychologist, multipurpose room, Office/Administration building, teacher work/collaboration building and an outdoor eating area with a shade structure..

During the school day, staff members and administrators shall provide campus supervision. Identified problem areas receive increased supervision to reduce discipline, crime, or other school safety concerns.

It shall be the practice of Mariposa Elementary School to remove all graffiti from school property before pupils arrive to begin their school day. Other acts of vandalism are promptly addressed.

Maintenance of School Buildings/Classrooms

The school's physical facility is well maintained and generally looks neat and clean. The school was most recently painted in 2021. The main office and main entrance renovated during the 2019-20 school year. District personnel periodically examine the school's physical facility and help eliminate obstacles to school safety. Additionally, health and fire department inspectors contribute to school safety.

Repair and upgrading are done through the online work order system to continue proper maintenance of the school.

Internal Security Procedures

Mariposa Elementary School has established procedures in the following areas: California Safe School Assessment (CSSA) reporting procedures, suspension and expulsion procedures, inventory system, and visitor check in/check out system via the RAPTOR program. Visitors are required to produce identification processed through the Megan's Law information system via RAPTOR, Visitors are required to wear a sticker upon entrance of the office and campus. Volunteers are required to go through Megan's Law, TB test, fingerprinting, and Board approval. The entire campus is fenced/gated. Discipline and Procedures have been created and implemented. Positive rewards and consequences for behaviors are distributed. District-wide lockdown procedures and updated School Safety Plan as well as meetings of the Safety Committee revise the plan and discuss ongoing safety concerns on campus..

Mariposa Elementary School crime statistics reflect a total of 0 crimes reported during the 2022-2023 school year..

Keeping reportable crimes at a minimum requires constant vigilance. The following strategies will be utilized in achieving this goal Maintenance of surveillance video cameras, Volunteer/Parent/Community member check in through RAPTOR in the office, communication with Sheriff's department, locking of gates and classrooms during the day, the WeTip hotline as well as SEE SOMETHING SENSE SOMETHING, SAY SOMETHING - 1-800-827-8724 (the CPS 24 hour hotline), continuation of lock down drills, fire and earthquake drills are some strategies utilized. Mariposa maintains close ties with neighborhood and neighbors watch the campus proactively.

Mariposa Elementary School maintains a copy of the district's sexual harassment policy in the main office/principal's office and the policy is available on request. The District's Sexual Harassment Policy contains dissemination plans, applicable definitions, reporting requirements, investigation procedures, enforcement regulations, and information related to suspension and/or expulsion for sexual harassment of or by pupils. Additionally, a notice summarizing this sexual harassment policy appears in the Parent & Student Handbook. The parent student handbook is distributed at the beginning of each school year to all parents and pupils.

To ensure the safety of pupils and staff, all visitors to the campus, except pupils of the school and staff members, shall register immediately upon entering any school building or grounds when school is in session. District employees, not assigned to Mariposa Elementary School shall wear appropriate identification badges while on campus conducting business.

Discipline procedures shall focus on finding the cause of problems and working with all concerned to reach the proper, lawful solutions. The school's discipline plan begins at the classroom level. Teachers shall use a visible classroom management plan to communicate classroom rules, promote positive pupil conduct, and reduce unacceptable conduct. Appropriate consequences are administered based on the seriousness of the pupil's misbehavior.

Pupil conduct standards and consequences for Mariposa Elementary School are specifically described in this Comprehensive Schools Safety Plan including: (a) the adopted school discipline rules and procedures, (b) District Disciplinary Guidelines, and (c) the adopted school-wide dress code.

Pupils may be suspended, transferred to another school, or recommended for expulsion or for certain acts. For specific student violations, a mandatory expulsion recommendation shall be submitted by the administration of Mariposa Elementary School.

Site administrators contribute to a positive school climate, promote positive pupil behavior, and help reduce inappropriate conduct. The principal/designee uses available district and other appropriate records to inform teachers of each pupil identified under E.C. 49079.

Law enforcement is contacted and consulted to help maintain and to promote a safe and orderly school environment. Mariposa Elementary School employees comply with all legal mandates, regulations, and reporting requirements for all instances of suspected child abuse.

If appropriate, additional internal security procedures affecting the integrity of the school facility include: Counseling for students, IST process, IEP process, 504's, Behavior support plans, Communication with parents/guardians, Documenting in Aeries.Net, Support from Redlands High School and Cope Middle School Security Teams.

Community involvement is encouraged to help increase school safety.

Mariposa has a Safety Committee that meets regularly and is made up of admin., certificated, classified staff and members of the community. Mariposa has a robust group of Volunteers on campus as well. Community is encourage to use WeTip and Sprigeo communication through District and school website to report concerns. Communication with the community takes place via email, phone and school newsletter. YMCA is on campus after school, there is a neighborhood watch, after school organized clubs and district approved sports clubs on campus until dusk, RAPTOR system, CFS hotline (1-800-827-8724).

Inventory System - Engraved ID, Security Storage

Most school-site equipment has a metal ID tag or a bar cod sticker adhered to its surface. These items are inventoried annually and there is an established accountability system. Office and classroom supplies are secured.

Element:

Goal 1:

Ensure school grounds are well maintained, ensure safe student play and contribute to the overall social emotional wellness of children.

Opportunity for Improvement:**I. Areas of Pride and Desired Improvements****a. Pride**

1. Mariposa school possesses many beautiful plants, trees, and topiaries. Our friendly helpers, garden club, and parent volunteers help provide care to maintain Mariposa's plants and trees. Many classrooms have a head garden parent.
2. The many murals on campus support and cultivate a culture of art appreciation.

b. Areas of Desired Improvement

1. The Japanese garden on the West side of classroom 22.
- 2.

Objectives	Action Steps	Resources	Lead Person	Evaluation
II. Desired Change #1 The Japanese garden on the West side of classroom 22 needs to be addressed due the following safety concerns: 1. Cactus and spikey brush on the hill post a threat to students 2. Current wooden seating has splinters and is not suitable for seating students	a. Related Strategies and Activities 1. Submit a work order to have the immediate hillside cleared 2. Submit a work order to have the wooden structure removed 3. Work with PTA and SSC to come up with a plan for the garden	b. Resources Required 1. RUSD Maintenance and Operations evaluation needs to be completed 2. Cost estimate for project completion e. Budget 1. LCAP campus beautification 2. School Safety	c. Personnel Assignments 1. Principal and M&O personnel	f. Evaluation criteria 1. Before and after photographs will provide evidence 2. d. Timeframe for completion 1. Completed before winter of 2024-2025 2.

Component:**School Climate****The School's Social Environment**

Leadership at Mariposa Elementary School is a shared process. A proactive role is assumed in all phases of the school operation. The current management team is committed to developing Mariposa Elementary School toward excellence in the areas of academic and social behavior.

The principal sets a positive tone for the school, guides the staff and works closely with them on curriculum and school safety issues. The school site's organizational structure is open and flexible contributing to sensitivity concerning school safety issues and promoting a safe, orderly school environment conducive to learning.

Disaster Procedures, Routine and Emergency

A contingency plan for emergencies is contained in a handbook available to each staff member. The District's Emergency Response Plan - (ERP Plan) is listed at the last section of this plan. The plan is reviewed at the beginning of each school year. This plan also contains available district and outside agency resources, emergency disaster procedures and information on Standardized Emergency Management System (SEMS).

Classroom Organization and Structure

Mariposa Elementary School teachers provide a varied learning environment in their classrooms. Teachers use a variety of teaching strategies including: explicit direct instruction, guided instruction, heterogeneous and homogeneous groupings, small group instruction, Google classroom, flexible seating, EL and GATE strategies, field trips, reading and math intervention groups, STEAM, and frequent use of technology.

The teachers at Mariposa Elementary School are highly qualified, with many teachers holding advanced degrees. The staff is united in their desire to provide quality education for all students. Classrooms and teachers provide safe, orderly learning environment, enhance the experience of learning, and promote positive interactions amongst pupil and staff. Instructional time is maximized and disruptions are minimized.

The School's Cultural Environment

There is a high level of cohesiveness among the staff members at Mariposa Elementary School. Cooperation and support between teachers and the administration is evident. Efforts are made by the administration and staff to show concern for all students.

All students are expected to behave in a manner that promotes safety and order. Students are encouraged to bring problems to the principal, counselor, teacher or other staff members. The everyday goal is for the staff to be proactive rather than reactive in all situations of concern.

The academic and behavior efforts of students are recognized and rewarded.

Cultural diversity is celebrated throughout the year by cultural celebrations, cultural readings, Black History Month, class performances, classroom lessons, community involvement, Parent and family nights. Additionally, attending assemblies that educate and celebrate cultural diversity. Mariposa has invited parents/family members from our cultures and ethnic backgrounds into the classrooms to share their stories and culture. We participate in Random Acts of Kindness Week and promote a culture of kindness. Monthly Flag Assemblies help build school culture for students. Teachers have incorporated the 3B's as our school-wide behavior expectations: Be Kind, Be Safe, Be Responsible; these rules are the foundation of our Character Education program to support the cultivation of positive student behaviors.

Element:

Goal 2:

Promote a positive school climate in which students feel safe and happy at school.

Opportunity for Improvement:

I. Areas of Pride and Desired Improvements

a. Pride

1. Mariposa has effectively implemented positive student behavior supports through our three school rules: Be Kind, Be Safe, Be Responsible.
2. School-wide behavior expectations were developed to support students' understanding about how to exemplify these rules when they are on different parts of our campus.

b. Areas of Desired Improvement

1. In the Fall of 2023, 460 responses were collected from students who took the Mariposa Student Survey. Of these students, 68% reported that "they feel safe on the playground." Area of desired improvement is an increase in the number of students who feel safe on the playground.
2. In the Fall of 2023, 460 responses were collected from students who took the Mariposa Student Survey. Of these students, 65% reported that "they could tell an adult about a problem they have at school and get help to solve it." An area of desired improvement is an increase in the number of students who feel they can approach an adult to get help with a school related problem.

Objectives	Action Steps	Resources	Lead Person	Evaluation
II. Desired Change #1 80% of Mariposa students will feel safe on the school playground.	a. Related Strategies and Activities 1. School Assemblies facilitated by Principal. 2. Classroom visits by Admin to share behavior expectations 2. Second Step classroom lessons taught by teachers and the elementary counselor.	b. Resources Required 1. Funding for assemblies 2. Materials and supplies needed for classroom lessons/activities c. Budget 1. Funding for Character Education budget 2. Funding for 3 Bs gear 3. Funding for reprographics to copy our Gold Wings 3. Funding for behavior incentives ~ school-wide drawing	. Personnel Assignments 1. Teachers, Counselor, Campus Monitors, Principal 2.	f. Evaluation criteria 1. Data will be collected from the Mariposa Student Survey administered in the Fall of 2023 and in the Fall of 2024. Data gathered will be examined to determine if there is an increased percentage of students who feel safe on the playground. d. Timeframe for completion 1. End of the 24-25 school year
III. Desired Change #2 80% of Mariposa students will be able to tell an adult on campus that they need help with a problem at school.	a. Related Strategies and Activities 1. School Assemblies facilitated by Principal. 2. Classroom visits by Admin to share behavior expectations 2. Second Step classroom lessons taught by teachers and the elementary counselor.	b. Resources Required 1. Funding to purchase incentives 2. Funding for reprographics to copy our Gold Wings c. Budget 1. Funding for Character Education budget 2. Funding for 3 Bs gear 3. Funding for reprographics to copy our Gold Wings 3. Funding for behavior incentives ~ school-wide drawing	c. Personnel Assignments 1. Teachers, Counselor, Campus Monitors, Principal 2.	f. Data will be collected from the Mariposa Student Survey administered in the Fall of 2023 and in the Fall of 2024. Data gathered will be examined to determine if there is an increased percentage of students who feel they can tell an adult on campus if they need help. d. Timeframe for completion 1. End of the 24-25 school year

(I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5)

Mariposa Elementary School Student Conduct Code

Procedures to Ensure a Safe and Orderly Environment

Rules and Procedures on School Discipline

Philosophy of Discipline

- Behavior expectations and the consequences for not meeting expectations must be clearly communicated to all students and their parents (in writing as well as verbally).
- The severity of consequences for violating behavior expectations increases with each incident of inappropriate behavior.
- The consequences for violating behavior expectations should be severe enough to discourage students from making poor behavior decisions.
- Expectations and consequences should permit students an opportunity to eliminate inappropriate behavior.

Additionally, the school staff recognizes that the middle school years are a transition time from adolescence to young adulthood. As a part of this transition, the student is given greater opportunities to be responsible and demonstrate independence and good judgment. The structure of our behavior expectations (in the classroom as well as school wide) is meant to encourage students to be responsible. The first step in many instances of inappropriate behavior (those considered to be "minor") is a simple warning ("Your behavior is unacceptable. Please stop such behavior"). It is only when a student ignores such warnings and continues to choose to act irresponsibly (like a child rather than an emerging adult) that we involve parents and implement consequences.

Elements of a Good Discipline Program

1. The program is focused upon making the entire campus, especially the classroom, a safe, supportive and orderly environment for learning for students and staff.
2. Classroom authority is retained by the classroom teacher. (Administration's role is to support, not to replace.)
3. Rules and procedures are clearly understood by staff and students.
4. All staff members will acknowledge and take appropriate action on any minor or major infraction of the school rules.
5. Rules and procedures comply with State Law and District policies.
6. The program recognizes the responsibilities and the rights of students and staff.
7. Program is structured to keep students in class and engaged in the educational process.
8. Rules are enforced:
 - A. by all staff members at all times.
 - B. strictly, but not rigidly (beware of "automatics").
 - C. in substantial part by adult modeling.
 - D. using techniques that promote the growth of positive self-esteem.
 - E. as close to the source as is possible.
 - F. by keeping parents informed.
9. The discipline program is understood, endorsed, and supported by staff, parents, and students.

PRINCIPAL'S STATEMENT TO EDMS STAFF

Expectations in Developing & Maintaining Discipline

As Principal of our school, I will expect:

Each teacher to have a defined system of classroom management. A written description of this system, including representative examples of the progressive interventions you intend to employ, will be approved and filed by me. Whenever possible and appropriate, teachers are encouraged to use standards and systems that are consistent with other village/department members.

You can expect:

The administration to assist and support you in every reasonable way in developing, implementing, and refining that system as needed.

I will expect:

That when you refer a student for discipline:

1. The student has been made fully aware of classroom and school rules and knows what rules he/she has violated.
2. Teachers within a village will discuss any continuing behavior problems and schedule a team conference with the student and parents when appropriate.
3. That information will be provided on the referral regarding previous actions you have taken regarding this specific issue.
4. You have exhausted the interventions at your disposal (i.e., you have done everything you can do) and you have followed the guidelines established by the administration and staff on what constitutes an appropriate behavior referral.
5. The behavior was so serious or so blatant as to make immediate removal from the classroom necessary.
6. The written referral will be explicit in stating the offense(s).
7. You will send the student out of class with a referral only if his/her continued presence in the class would disrupt or prevent teaching and/or learning.
8. If necessary, the referral will be delivered to the office at a time convenient to the staff member so that the issue may be handled most efficiently, causing a minimum of lost class time.

You can expect:

1. School administration to support your position in every reasonable way.
2. A response time on your referral of one, or at most, two days.

3. The availability of an administrator to discuss unresolved referrals after school on any given day.
4. That the administrator will exercise independent judgment regarding disposition of referrals.

I will expect:

1. That each teacher will go to the doorway of his/her classroom after each class period as often as possible and assume control of student behavior in the corridor.
2. That each staff member will hold students accountable for their behavior on the school grounds at all times.

You can expect:

1. Administrator support, investigation, and follow-through as indicated.
2. A response to referrals from incidents outside the classroom to be the same as to those within.

Laraissa Gill
Principal

WHAT TO DO WHEN PROBLEMS APPEAR

Both behavioral and academic problems are present in some of our students. Teachers often ask for guidelines for dealing with these problems. Here they are:

1. Talk to the administrator assigned to your grade level.
2. Call parents at first sign of concern. Inform the parents of your observations, ask for their ideas, assistance, and support in serving the student. Keep a log of your calls.
3. If possible, talk privately to the student about your concerns.
4. Behavior concerns—look through students' CUM file. Any official suspensions will be in file, also look for teacher comments on report cards. Look for patterns of behavior. We use In-House Suspension whenever possible, as it is preferable to having students at home unattended—and it saves the district money. Serious infractions (fighting, threats, etc.) do result in official suspension. Unresponsive students can be moved to other schools or expelled.
5. Referrals—please remember if you write a student referral, you are required to call the parents. You are writing the referral and can answer the parents' questions firsthand. Administrators will also call parents, but we can only give secondhand information on the incident.
6. Academic Concerns—again, look through student CUM. This will contain test scores, report cards, and a student history. You may want to ask the grade level administrator to schedule a Student Study Team (SST). This will involve a meeting with the student, parents, administrators, students' teachers, and perhaps the psychologist

Conduct Code Procedures

(K) Hate Crime Reporting Procedures and Policies

Students, parents, staff, and community members can report hate crimes through WeTip, Sprigeo or to any adult on campus. The WeTip and Sprigeo reporting systems are monitored by the District and Mariposa Elementary. Additionally, there are See Something, Hear Something, Sense Something, Say Something signs posted in all areas and classrooms throughout campus. These contain the phone numbers for each of our reporting systems including the Redlands Police Department.

(J) Procedures to Prepare for Active Shooters

Mariposa Elementary School will practice level 1, 2, and 3 lockdown drills multiple times during the school year. Safe and secure areas will be made known to all school personal and students. All emergencies are initiated through Raptor and signals the district response team.

Procedures for Preventing Acts of Bullying and Cyber-bullying

Mariposa Elementary maintains a positive school culture through the practice of positive reinforcements as outlined in the PBIS program. Mariposa participates in Bully Prevention throughout the school year. Anti-bullying lessons are conducted in the classrooms, anti-bullying activities may be conducted at recess with Friendly Helpers, and there is a Bully Prevention assembly paid for by the school PTA. There is a Coffee with the Principal specifically designed to bring about community awareness regarding bullying and cyber bullying. Students, parents, and community members can take advantage of WeTip and Sprigeo reporting systems to notify the school and district of any suspected bullying. There are See Something, Hear Something, Say Something, Sense Something posters in every room on campus that shares the phone numbers for reporting.

Safety Plan Review, Evaluation and Amendment Procedures

The School Safety Committee and the School Site Council annually review the school safety plan and provide input for the revisions and development of the new plan. In the early fall of each school year, the School Site Council convenes and will approve the plan for that school year. Throughout the school year, the School Site Council reviews the safety plan to ensure that the plan is properly executed. The necessity for making amendments is determined in School Site Council meetings.

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)
PTA Meeting	4/4/2024	
Leadership Meeting	9/24/2024	
School Site Council Review of safety plan	10/15/2024	School Site Council Agenda and minutes

Emergency Response Guidelines

Step One: Identify the Type of Emergency

Communication with staff, the use of the staff Raptor Reporting phone App, communication with the District and local reporting agencies will aid the administrator in determining the type of emergency at hand. This knowledge will aid the administrator in making the appropriate decisions to keep the students and staff safe.

Step Two: Identify the Level of Emergency

Determining the size and immediacy of the emergency will determine the level. The site leader will determine if it is a classroom, building, confined area, whole school, neighborhood, or city-wide emergency. Mariposa will collaborate with the Redlands Unified School District, Redlands Police Department, and Redlands Fire Department to ensure the safety of all students.

Step Three: Determine the Immediate Response Action

The site administrators/commander will determine the immediate response required based on the information at hand and in following with established site protocols.

Step Four: Communicate the Appropriate Response Action

The Mariposa Administrator will utilize a variety of communication tools to notify staff and emergency participants such as: telephone, school bell systems, phone intercom system, emails, and texts. In addition, the Administrator will communicate with the District Office via emergency radio. Lastly, a community communication plan will be created to notify families of the incident, explain pick-up procedures, or outline next steps through one or more communication methods: Parent Square, notifications on school website, and all social media accounts.

Types of Emergencies & Specific Procedures

Earthquake

Evacuation and safety procedures have been developed and will be utilized as needed. Each classroom, office, library and room on campus has a posting of the emergency procedures and a safety bag near the exit door. Emergency procedures are also listed in classroom faculty handbooks which is reviewed at the beginning of the school year and available for guest teachers. In the event of an earthquake, Mariposa Elementary School will work with the Redlands Unified School District, Redlands Police Department, and the Redlands Fire Department to determine the appropriate level of response.

Fire in Surrounding Area

The initiated response actions should take into consideration the location and size of the fire, its proximity to the school, and the likelihood that the fire may affect the school. Mariposa Elementary School will work with the Redlands Unified School District, Redlands Police Department, and the Redlands Fire Department to determine the appropriate level of response to fires in surrounding areas. Evacuation and safety procedures have been developed and will be utilized as needed.

Fire on School Grounds

Evacuation and safety procedures have been developed and will be executed in a manner that matches the level of the emergency at hand. Mariposa Elementary School will work with the District, Redlands Police Department, and the Redlands Fire Department to determine the best course of action to ensure the safety of all students and staff.

Pandemic

Blood Borne Pathogen Incident Reporting Form and Exposure Control Plan

Policy 5141.22: Infectious Diseases

The Governing Board desires to protect students from risks posed by exposure to infectious diseases while providing an appropriate education for all students.

The Superintendent or designee shall determine whether to admit a student with an infectious disease, and shall exclude students only in accordance with law. In making this determination, he/she shall consult the student's parents/guardians, the student's physician and/or the county health department, in accordance with law and consistent with confidentiality provisions. Because bloodborne pathogens such as hepatitis B virus, hepatitis C virus and human immunodeficiency virus (HIV) are not casually transmitted, the sole presence of bloodborne pathogens is not sufficient reason to exclude students from attending school.

cf. 5112.2 - Exclusions from Attendance)
(cf. 5141.26 - Tuberculosis Testing)
(cf. 5141.3 - Health Examinations)
(cf. 6158 - Independent Study)
(cf. 6159 -Individualized Education Program)
(cf. 6183 - Home/Hospital Instruction)

Parents/guardians are encouraged to inform the Superintendent or designee if their child has an infectious disease so that school staff may work cooperatively with the student's parents/guardians to minimize the child's exposure to other diseases in the school setting. The Superintendent or designee shall ensure that student confidentiality rights are strictly observed in accordance with law. No district employee shall release medical information, including knowledge of a bloodborne pathogen infection, without written consent from the parent/guardian or adult student. Such information shall be shared only with those persons specifically named in the written permission.

(cf. 5125 - Student Records)
(cf. 5022 -Student and Family Privacy Rights)

The Board requires students and staff to routinely observe universal precautions to prevent exposure to bloodborne pathogens and to prevent the spread of all infectious disease.

cf. 4119.42/4219.42/4319.42 -Exposure Control Plan for Bloodborne Pathogens)
(cf. 4119.43/4219.43/4319.43 - Universal Precautions)
(cf. 5141.23 - Infectious Disease Prevention)

The Superintendent or designee shall ensure that the district's health education program provides information about the nature of bloodborne pathogens and their transmission.

(cf. 5141.6 - Student Health and Social Services)
(cf. 6142.2 - Sexual Health and HIV/AIDS Prevention Instruction)
(cf. 6142.8 - Comprehensive Health Education)

Blood Borne Pathogens - Safety Practices

Procedures and Regulations

1. General

1.1 While recognizing that both students and employees diagnosed with an infectious blood borne disease are entitled to a confidential relationship between themselves, the medical community and/or other agencies, the Board of School Trustees encourages these individuals to meet with the School Principal and/or Superintendent of Schools to discuss their disease and immediate and future needs.

1.2 Assessment

2. Students:

2.1. The Superintendent (or designate) will be informed, by the school principal as soon as is known, of any student infected with an infectious blood borne disease.

2.2. A Risk Assessment will be conducted using a team approach including the personal physician, public health personnel, the parent or guardian, and school district personnel as appropriate and will make recommendations about the type of educational and care setting based on the following:

- a. Behavior, neurological development and physical condition of the child;
- b. Type of interaction expected with others.
- c. What the potential is for exposure
- d. Areas for potential for exposure
- e. How exposure may happen
- f. Who needs to know?
- g. What will happen if there is a risk of exposure?

2.3. The team will consider the risk to others in the workplace, whether or not the individual is healthy enough to continue to attend school, and what precautions should be taken to ensure the safety and health of others.

a. The identity of infected students will remain confidential and restricted to those who need to know or are required to be informed.

2.4. Decisions on attendance at school are dependent on the circumstances of each individual case. Regular evaluation of the appropriateness of attendance will be conducted.

2.5. The Board will be notified immediately when the team considers the health condition of a student to be a danger to the immediate health and welfare of a school, its students or employees of the Board.

a. Upon being notified of the team's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

3. Employees

3.1. The Superintendent will be informed, by district staff as soon as is known, of any employee infected with an infectious blood borne disease.

3.2. Employees with an infectious blood borne disease, who are able to carry out the essential duties of their jobs in a satisfactory manner without posing a health or safety risk to themselves or others, will be entitled to continue their work.

3.3. Decisions regarding potential health or safety hazards will be made on a case-by-case basis in consultation with the employee, the personal physician and district personnel as appropriate.

3.4. The identity of infected employees will remain confidential and restricted to those who need to know or are required to be informed.

3.5. The Board will be notified immediately if the Superintendent considers the health condition of an employee to be a danger to the immediate health and welfare of a school, its students or other employees of the Board.

a. Upon being notified of the Superintendent's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

4. Hygienic Safety Practices

4.1. All employees will follow "Universal Infection Control Precautions" by assuming that blood and other body fluids from all individuals are potentially infectious. These precautions include:

- a. Routinely using gloves when anticipating contact with blood
- b. Immediately washing hands and other skin surfaces after removal of gloves and/or contact with blood

4.2. Schools will be provided with appropriate protective equipment including disposable waterproof gloves (natural rubber latex, neoprene, nitrile, or vinyl), tongs or pliers and proper sharps containers.

4.3. Schools' medical room mattresses will be either vinyl-coated beds or cloth mattress with a protective vinyl (plastic) covering so that they can be cleaned as needed with a bleach solution.

4.4. Blankets can be cleaned as needed by forwarding them, in a clearly labeled plastic bag, to the Assistant Supervisor Operations at the Facilities Office.

5. Universal Precautions

5.1. Universal Precautions to prevent transmission of blood-borne disease will be followed. Universal Precautions is the term for infection control measures endorsed by the Canadian Centre for Occupational Health and Safety for workers who might come into contact with blood and other body fluids. In summary they include:

- a. Wash hands for 30 seconds after contact with blood and other body fluids contaminated with blood.
- b. Wear disposable latex gloves when you encounter blood, body fluids, or when cleaning cuts, scrapes or wounds. Wash your hands as soon as you remove your gloves. Dispose gloves in a plastic bag.
- c. Use disposable absorbent material like paper towels to stop bleeding.
- d. Discard bloodstained material in a sealed plastic bag and deposit in the garbage. Label as containing blood-tainted material.
- e. Cover cuts or scrapes with a bandage until healed.
- f. Immediately protect staff and students from coming in contact with blood-soiled surfaces. The area must be disinfected with a fresh solution of one part bleach and nine-parts water (10% bleach solution).

Mops or brushes used for cleaning should be soaked in a bleach solution for 20 minutes.

(Note: The custodial department will provide each school with the product for dissolving in water to provide the bleach solution.)

6. Identification of Risks of Occupational Exposure

6.1. In accordance with the Occupational Health and Safety Regulations (section 6.35), the district's Health & Safety Coordinator will develop and maintain a list of positions and/or tasks and procedures where there is a potential for occupational exposure to a blood borne pathogen.

6.2. Employees who have, or may have, occupational exposure to the hepatitis B virus, will upon request, receive a hepatitis B vaccination (section 6.39, OH&S Regs).

6.3. Employees who may have been exposed to a blood borne pathogen in an exposure incident will be advised to immediately seek medical attention

Blood Borne Pathogen Incident Reporting Form and Exposure Control Plan

Policy 5141.22: Infectious Diseases

The Governing Board desires to protect students from risks posed by exposure to infectious diseases while providing an appropriate education for all students.

The Superintendent or designee shall determine whether to admit a student with an infectious disease, and shall exclude students only in accordance with law. In making this determination, he/she shall consult the student's parents/guardians, the student's physician and/or the county health department, in accordance with law and consistent with confidentiality provisions. Because bloodborne pathogens such as hepatitis B virus, hepatitis C virus and human immunodeficiency virus (HIV) are not casually transmitted, the sole presence of bloodborne pathogens is not sufficient reason to exclude students from attending school.

(cf. 5112.2 - Exclusions from Attendance)
(cf. 5141.26 - Tuberculosis Testing)
(cf. 5141.3 - Health Examinations)
(cf. 6158 - Independent Study)
(cf. 6159 - Individualized Education Program)
(cf. 6183 - Home/Hospital Instruction)

Parents/guardians are encouraged to inform the Superintendent or designee if their child has an infectious disease so that school staff may work cooperatively with the student's parents/guardians to minimize the child's exposure to other diseases in the school setting. The Superintendent or designee shall ensure that student confidentiality rights are strictly observed in accordance with law. No district employee shall release medical information, including knowledge of a bloodborne pathogen infection, without written consent from the parent/guardian or adult student. Such information shall be shared only with those persons specifically named in the written permission.

(cf. 5125 - Student Records)
(cf. 5022 - Student and Family Privacy Rights)

The Board requires students and staff to routinely observe universal precautions to prevent exposure to bloodborne pathogens and to prevent the spread of all infectious disease.

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)
(cf. 4119.43/4219.43/4319.43 - Universal Precautions)
(cf. 5141.23 - Infectious Disease Prevention)

The Superintendent or designee shall ensure that the district's health education program provides information about the nature of bloodborne pathogens and their transmission.

(cf. 5141.6 - Student Health and Social Services)
(cf. 6142.2 - Sexual Health and HIV/AIDS Prevention Instruction)
(cf. 6142.8 - Comprehensive Health Education)

Blood Borne Pathogens - Safety Practices

Procedures and Regulations

1. General

1.1 While recognizing that both students and employees diagnosed with an infectious blood borne disease are entitled to a confidential relationship between themselves, the medical community and/or other agencies, the Board of School Trustees encourages these individuals to meet with the School Principal and/or Superintendent of Schools to discuss their disease and immediate and future needs.

1.2 Assessment

2. Students:

2.1. The Superintendent (or designate) will be informed, by the school principal as soon as is known, of any student infected with an infectious blood borne disease.

2.2. A Risk Assessment will be conducted using a team approach including the personal physician, public health personnel, the parent or guardian, and school district personnel as appropriate and will make recommendations about the type of educational and care setting based on the following:

- a. Behavior, neurological development and physical condition of the child;
- b. Type of interaction expected with others.
- c. What the potential is for exposure
- d. Areas for potential for exposure
- e. How exposure may happen
- f. Who needs to know?
- g. What will happen if there is a risk of exposure?

2.3. The team will consider the risk to others in the workplace, whether or not the individual is healthy enough to continue to attend school, and what precautions should be taken to ensure the safety and health of others.

- a. The identity of infected students will remain confidential and restricted to those who need to know or are required to be informed.

2.4. Decisions on attendance at school are dependent on the circumstances of each individual case. Regular evaluation of the appropriateness of attendance will be conducted.

2.5. The Board will be notified immediately when the team considers the health condition of a student to be a danger to the immediate health and welfare of a school, its students or employees of the Board.

- a. Upon being notified of the team's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

3. Employees

3.1. The Superintendent will be informed, by district staff as soon as is known, of any employee infected with an infectious blood borne disease.

3.2. Employees with an infectious blood borne disease, who are able to carry out the essential duties of their jobs in a satisfactory manner without posing a health or safety risk to themselves or others, will be entitled to continue their work.

3.3. Decisions regarding potential health or safety hazards will be made on a case-by-case basis in consultation with the employee, the personal physician and district personnel as appropriate.

3.4. The identity of infected employees will remain confidential and restricted to those who need to know or are required to be informed.

- 3.5. The Board will be notified immediately if the Superintendent considers the health condition of an employee to be a danger to the immediate health and welfare of a school, its students or other employees of the Board.
- a. Upon being notified of the Superintendent's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

4. Hygienic Safety Practices

- 4.1. All employees will follow "Universal Infection Control Precautions" by assuming that blood and other body fluids from all individuals are potentially infectious. These precautions include:
- a. Routinely using gloves when anticipating contact with blood
 - b. Immediately washing hands and other skin surfaces after removal of gloves and/or contact with blood
- 4.2. Schools will be provided with appropriate protective equipment including disposable waterproof gloves (natural rubber latex, neoprene, nitrile, or vinyl), tongs or pliers and proper sharps containers.
- 4.3. Schools' medical room mattresses will be either vinyl-coated beds or cloth mattress with a protective vinyl (plastic) covering so that they can be cleaned as needed with a bleach solution.
- 4.4. Blankets can be cleaned as needed by forwarding them, in a clearly labeled plastic bag, to the Assistant Supervisor Operations at the Facilities Office.

5. Universal Precautions

- 5.1. Universal Precautions to prevent transmission of blood-borne disease will be followed. *Universal Precautions* is the term for infection control measures endorsed by the Canadian Centre for Occupational Health and Safety for workers who might come into contact with blood and other body fluids. In summary they include:
- a. Wash hands for 30 seconds after contact with blood and other body fluids contaminated with blood.
 - b. Wear disposable latex gloves when you encounter blood, body fluids, or when cleaning cuts, scrapes or wounds. Wash your hands as soon as you remove your gloves. Dispose gloves in a plastic bag.
 - c. Use disposable absorbent material like paper towels to stop bleeding.
 - d. Discard bloodstained material in a sealed plastic bag and deposit in the garbage. Label as containing blood-tainted material.
 - e. Cover cuts or scrapes with a bandage until healed.
 - f. Immediately protect staff and students from coming in contact with blood-soiled surfaces. The area must be disinfected with a fresh solution of one part bleach and nine-parts water (10% bleach solution).

Mops or brushes used for cleaning should be soaked in a bleach solution for 20 minutes.

(Note: The custodial department will provide each school with the product for dissolving in water to provide the bleach solution.)

6. Identification of Risks of Occupational Exposure

- 6.1. In accordance with the Occupational Health and Safety Regulations (section 6.35), the district's Health & Safety Coordinator will develop and maintain a list of positions and/or tasks and procedures where there is a potential for occupational exposure to a blood borne pathogen.
- 6.2. Employees who have, or may have, occupational exposure to the hepatitis B virus, will upon request, receive a hepatitis B vaccination (section 6.39, OH&S Regs).
- 6.3. Employees who may have been exposed to a blood borne pathogen in an exposure incident will be advised to immediately seek medical attention

School Site Council Agenda 10-15-24

Call to Order Kristy Walker

1. Add verbage to SPSA Goal 1 Activity 2 to include funding for Personnel
2. Approve Safety Plan
3. Approval of Agenda
4. Approval of Minutes
5. PTA Update
6. Good of the Order

Comprehensive School Safety Plan

**2024-2025
School Year**

School: McKinley Elementary School
CDS Code: 36-67843-6036552
District: Redlands Unified School District
Address: 645 W. Olive Avenue
Redlands, CA 92373
Date of Adoption: October 24, 2023
Date of Update: October 2, 2024
Date of Review:
- with Staff
- with Law Enforcement
- with Fire Authority

Approved by:

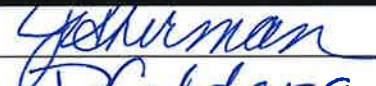
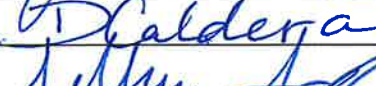
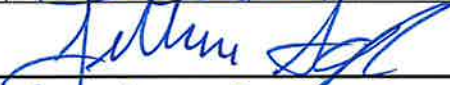
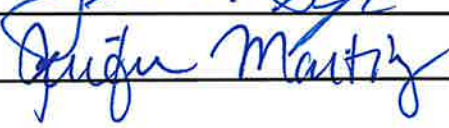
Name	Title	Signature	Date
Jennifer Sherman	Principal		10/2/24
Deserea Caldera	classified staff		10/2/24
Julissa Ayala	Parent		10/2/24
Jennifer Martinez	Teacher		10/2/24

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Comprehensive School Safety Plan Purpose

Effective January 1, 2019, Assembly Bill 1747 (Rodriguez), School Safety Plans, became law. This bill requires that during the writing and development of the comprehensive school safety plan (CSSP), the school site council or safety committee consult with a fire department and other first responder entities in addition to currently required entities. It requires the CSSP and any updates made to the plan to be shared with the law enforcement agency, the fire department, and the other first responder entities.

The California Education Code (sections 32280-32288) outlines the requirements of all schools operating any kindergarten and any grades 1 to 12, inclusive, to write and develop a school safety plan relevant to the needs and resources of that particular school.

In 2004, the Legislature and Governor recast and renumbered the Comprehensive School Safety Plan provisions in SB 719 and AB 115. It is the intent of the Legislature in enacting the provisions to support California public schools as they develop their mandated comprehensive safety plans that are the result of a systematic planning process, that include strategies aimed at the prevention of, and education about, potential incidents involving crime and violence on school campuses.

The historical requirement of the Comprehensive School Safety Plan was presented in Senate Bill 187, which was approved by the Governor and chaptered in 1997. This legislation contained a sunset clause that stated that this legislation would remain in effect only until January 1, 2000. Senate Bill 334 was approved and chaptered in 1999 and perpetuated this legislation under the requirement of the initial legislation.

Comprehensive School Safety Plans are required under SB 719 & AB 115 and contains the following elements:

Assessment of school crime committed on school campuses and at school-related functions

- Child abuse reporting procedures
- Disaster procedures
- Suspension and expulsion policies
- Procedures to notify teachers of dangerous pupils
- Discrimination and harassment policies
- School wide dress code policies
- Procedures for safe ingress and egress
- Policies enacted to maintain a safe and orderly environment
- Rules and procedures on school discipline
- Hate crime reporting procedures

The Comprehensive School Safety Plan will be reviewed and updated by March 1st every year. In July of every year, the school will report on the status of its school safety plan including a description of its key elements in the annual school accountability report card.

A copy of the Comprehensive School Safety Plan is available for review at the McKinley Elementary School Office and Website.

Safety Plan Vision

McKinley Elementary School will provide a safe, orderly, and secure environment conducive to learning.

McKinley Elementary School will create a school in which pupils will attend regularly and be safe from both physical and social-psychological harm.

McKinley Elementary School will work collaboratively with the district office and school board to identify, establish and use strategies and programs to comply with school safety laws.

McKinley Elementary School will develop a plan to work cooperatively and collaboratively with parents, pupils, teachers, administrators, counselors and community agencies, including law enforcement, to provide a safe and orderly school and neighborhood.

McKinley Elementary School will develop an academic program that will focus on high expectations of pupil performance and behavior in all aspects of the school experience.

McKinley Elementary School will work collaboratively with other elementary, middle schools and high schools to assist in a smooth transition from one school level to another.

McKinley Elementary School will solicit the participation, views, and advice of teachers, parents, school administrators, and community members and use this information to promote the safety of our pupils, staff and community.

Components of the Comprehensive School Safety Plan (EC 32281)

McKinley Elementary School Safety Committee

Assessment of School Safety

School crime is reported annually to the State of California. McKinley ES works closely with Child Welfare and Attendance and the San Bernardino County Sheriff to ensure compliance with all reporting, laws and penal codes.

Strategies and Programs to Provide and Maintain a High Level of Safety (EC 32281(a)1, items A-J)

Introduction - School Profile

McKinley Elementary School is one of twenty-six schools in the Redlands Unified School District with traditions dating back to 1904. McKinley Elementary School has a diverse pupil student body and is served by a dedicated staff. Both staff and parents comment on the positive changes that are ongoing in our school.

McKinley Elementary School faces challenges in maintaining a safe school. This section of the Comprehensive School Safety Plan will describe programs in place at our school as well as strategies and programs of our school site council for continued improvement in providing a safe, orderly, school environment conducive to learning.

School Crime Status and Reporting

School crime is reported annually to the State of California. McKinley ES works closely with Child Welfare and Attendance and the San Bernardino County Sheriff to ensure compliance with all reporting, laws and penal codes.

Personal Characteristics of Pupil & Staff

(Additional Health and Welfare Data available from ICOE aggregated DAT surveys)

McKinley Elementary School has an enrollment of 363 pupils in Preschool thru 5th Grade. Pupils from this school come from families with diverse backgrounds and family mobility. The ethnic makeup of the pupil population is 58 % Hispanic, 10 % Black, 19 % Caucasian and 13% ethnicities including: Asian, Native American, Filipino and Multi-ethnic backgrounds. Our pupils have a variety of life experiences. Socio-Economically Disadvantaged families include 68% of the McKinley population.

Curriculum and Educational Activities

The course of study includes the basic core curriculum, physical education and enrichment classes such as physical education, art, and music.

Pupils have the opportunity to participate in noon and after-school activities. These include lunchtime intramurals, ASES(after-school program), and after-school enrichment classes.

Staff provides opportunities and additional activities open to pupils in the areas of book studies, STEAM, and after-school enrichment opportunities.

(A) Child Abuse Reporting Procedures (EC 35294.2 [a] [2]; PC 11166)

Policy 5141.4: Child Abuse Prevention and Reporting

The Governing Board recognizes that the district has a responsibility to facilitate the prompt reporting of incidents of child abuse and neglect. The Superintendent or designee shall ensure that parents/guardians have access to procedures whereby they can report suspected child abuse at a school site to appropriate child protective agencies

The Superintendent or designee shall develop and implement regulations for use by employees in identifying and reporting child abuse

District employees shall report known or suspected incidents of child abuse in accordance with district regulations and state law. Employees shall cooperate with the child protective agencies responsible for reporting, investigating and prosecuting cases of child abuse.

(cf. 4112.9 - Signed Statements/Child Abuse Reporting Statements)

The Superintendent or designee shall provide training in child abuse identification and reporting for all certificated and classified personnel. (Penal Code 11165.7)

All employees trained in child abuse identification and reporting shall be given, as a part of that training, written notice of the child abuse reporting requirements and the employees' confidentiality rights. (Penal Code 11165.7)

In order to reduce or eliminate unfounded child abuse accusations directed at school employees, child abuse in service training shall include guidance in disciplining students and maintaining ethical relationships with them.

(cf. 3514 - Safety)

(cf. 5142 - Safety)

Duty to Report

Certificated employees and classified employees trained in child abuse identification and reporting shall report known or suspected child abuse to a child protective agency by telephone immediately or as soon as practically possible and in writing within 36 hours. The reporting duties are individual and cannot be delegated to another individual except under circumstances set forth in Penal Code 11166.

Definitions

Child Abuse includes the following:

1. A physical injury inflicted by other than accidental means on a child by another person.
2. Willful cruelty or unjustifiable punishment of a child, or willfully inflicting unjustifiable physical pain or mental suffering, or failure to safeguard a child from these injuries when the child is under a person's care or custody
3. Sexual abuse of a child
4. Neglect of a child or abuse in out-of-home care
5. Unlawful corporal punishment or injury resulting in a traumatic condition

Mandated Reporters are those people defined by law as child care custodians, health practitioners, child visitation monitors and employees of a child protective agency. Mandated reporters include virtually all school employees. The following school personnel are required to report:

Teachers, administrators, supervisors of child welfare and attendance, certificated student personnel employees, employees of care institutions, Headstart teachers, school psychologists, licensed nurses, counselors, presenters of child abuse prevention programs and those instructional aides or other classified employees trained in child abuse reporting.

Child Protective Agencies are those law enforcement and child protective services responsible for investigating child abuse reports, including the local police or sheriff department, county welfare or juvenile probation department and child protective services.

Reasonable Suspicion means that it is objectively reasonable for a person to entertain such a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his/her training and experience, to suspect child abuse. (Penal Code 11166)

Reporting Procedures

To report known or suspects child abuse, any employee (as defined above) shall report by telephone to the local child protective agency immediately. (Child Protective Services 921 County Center, 3 Court, Modesto, CA phone # 525- 6641)

The following information shall be given:

1. The name of the person making the report
2. The name of the child
3. The present location of the child
4. The nature and extent of any injury

Any other information requested by the child protective agency, including the information that led the mandated reporter to suspect child abuse.

When the verbal 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.

Within 36 hours of making the telephone report, the mandated reporter shall complete and mail to the local child protective agency a written report which includes a completed Department of Justice form (DOJ SS 8572).

Mandated reports may obtain copies of the above form either from the district or local child protective agency.

Instructions are included on the form, and reporters may ask the site administrator for help in completing and mailing it; however, the mandated reporter is personally responsible for ensuring that the written report is correctly filed.

Employees reporting child abuse to a child protective agency are encouraged, but not required, to notify the site administrator or designee as soon as possible after the initial verbal report by telephone. When so notified, the site administrator shall inform the Superintendent or designee.

Administrators so notified shall provide the mandated reporter any assistance necessary to ensure that reporting procedures are carried out in accordance with law and district regulations. At the mandated reporter's request, the principal may assist in completing and filing the form.

If the mandated reporter does not disclose his/her identity to a district administrator, he/she shall at least provide or mail a copy of the written report to the site administrator and the district without his/her signature or name.

Legal Responsibility and Liability

Mandated reporters have absolute immunity. School employees required to report are not civilly or criminally liable for filing a required or authorized report of known or suspected child abuse.

A mandated reporter who fails to report an instance of child abuse, which he/she knows to exist or reasonably should know to exist, is guilty of a misdemeanor and is punishable by confinement in jail for a term not to exceed six months or by a fine of not more than \$1,000 or both. The mandated reporter may also be held civilly liable for damages for any injury to the child after a failure to report

When two or more persons who are required to report have joint knowledge of suspected instance of child abuse, and when they so agree, the telephone report may be made by either of them and a single report made and signed by that person.

However, if any person who knows or should know that the person designated failed to make the report, that person then has a duty to make the report.

The duty to report child abuse is an individual duty and no supervisor or administrator may impede or inhibit such reporting duties. Furthermore, no person making such a report shall be subject to any sanction.

Victim Interview

Upon request, a child protective agency representative may upon request interview a suspected victim of child abuse during school hours, on school premises, concerning a report of suspected child abuse that occurred within the child's home. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. (Penal Code 11174.3)

A staff member or volunteer aide selected by a child may decline to be present at the interview. If the selected person accepts, the principal or designee shall inform him/her, before the interview takes place, of the following legal requirements:

1. The purpose of the selected person's presence at the interview is to lend support to the child and enable him/her to be as comfortable as possible.
2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the child.
4. The selected person is subject to the confidentiality requirements of the Child Abuse and Reporting Act, a violation of which is punishable as specified by Penal Code 11167.5.
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 or Child Protective Services Agent

When a child is released to a peace officer or child protective agency and taken into custody as a victim of suspected child abuse, the Superintendent and/or principal shall not notify the parent/guardian as required in other instances of removal of a child from school, but rather shall provide the protective agency with the address and telephone number of the child's parent/guardian. It is the responsibility of the peace officer or agent to notify the parent/guardian of the situation. (Education Code 48906)

Peace officer and child protective services agents will be asked to sign an appropriate release or acceptance of responsibility form.

(cf. 5145.11 - Questioning and Apprehension)

When School Employees are Accused of Child Abuse

Regardless of who child abusers may be, the major responsibilities of mandated reports are to 1) identify incidents of suspected child abuse, and 2) comply with laws requiring the reporting of suspected abuse to proper authorities. Determining whether or not the suspected abuse actually occurred is not the responsibility of the school employee. Such determination and follow-up investigation will be made by a child protective agency.

Pending outcome of an investigation by a child protective agency and before formal charges are filed, the employee may be subject to reassignment or a paid leave of absence.

Upon filing formal charges or upon conviction, the district may take disciplinary action in accordance with law, district policies, regulations and/or collective bargaining agreements. The Superintendent or designee shall seek legal counsel in connection with either the suspension or dismissal of the employee.

(cf. 4117.4 - Dismissal)
(cf. 4118 - Suspension/Disciplinary Action (Certificated))
(cf. 4218 - Suspension/Disciplinary Action (Classified))

Suspected Child Abuse Reporting Procedures

I. Initiating the Report

A. The report is initiated by a telephone report to the appropriate agency.

B. If the suspected child abuse has taken place within the family, call the Enter appropriate Agency Hotline at phone number, 1 (800) 827-8724

C. If the suspected child abuse has taken place outside the family, call the local police department at:

Highland Sheriff Police Department
Phone: (909) 425-9793

D. Content of call.

- 1) Name, address and age of child involved.
- 2) Clear description of suspected abuse.

II. Written Report

A. The telephone call is to be followed by completion of the Suspected Child Abuse Report (form 11166.P.C.). These forms are available in the Principal's office at the high school or you may access the form on line at:
http://ag.ca.gov/childabuse/pdf/ss_8572.pdf for a form or immediately call (909) 384-9233 to file a report.

B. The written report is to be addressed to the person to whom the telephone report was made.

C. The written report must follow the phone call within 36 hours.

1. Suspected child abuse within the family,
Agency: Children and Family Services
Address: 150 S. Lena Road, San Bernardino, California 92415

2. Suspected child abuse outside the family should be mailed to the agency to which the report was called -

Adopted: 10/2005
Highland Sheriff Police Department
Phone: (909)425-9793

The reporting party should keep the yellow copy of the Suspected Child Abuse Report form (SS8572) or verification of completion of the reporting obligation.

Caution:

1. The reporting responsibility has not been discharged until both the telephone call and written reports are complete.
2. School personnel are not to engage in any investigation of suspected cases. The investigation will be done by the child protective services office.
3. The reporting responsibility is an individual one which is NOT discharged by report to supervisors or administrators.

(B) Disaster Procedures (EC 35295-35297; GC 8607 and 3100)

Disaster Plan (See Appendix C-F)

Each classroom, office, library and room on campus has a posting of the emergency procedures near the exit door. Emergency procedures are also posted in each classroom notebook which is reviewed at the beginning of the school year for updates. Fire Drills are practiced each month of the school year. Earthquake drills are practiced four times a year and Lock Down drills are practiced yearly.

Public Agency Use of School Buildings for Emergency Shelters

(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines

Policy 5144.1: Suspension And Expulsion/Due Process

Suspension and Expulsion

The Governing Board recognizes that maintaining an environment which promotes learning and protects the health, safety, and welfare of all students may require the suspension or expulsion of a student from regular classroom instruction. District policies and school site rules shall clearly identify district behavior standards

(cf. 5144 - Discipline)

Except in cases where suspension for a first time offense is warranted in accordance with law, suspension shall be imposed only when other means of correction fail to bring about proper conduct. (Education Code 48900.5)

Expulsion is an action taken by the Board for severe or prolonged breaches of discipline by a student. Except for single acts of a grave nature, expulsion is usually used only when there is a history of misconduct, when other forms of discipline, including suspension, have failed to bring about proper conduct, or when the student's presence causes a continuing danger to other students. (Education Code 48915)

The grounds for suspension and expulsion and the procedures for considering, recommending and/or implementing suspension and expulsion shall be specified in Administrative Regulation.

Each principal shall annually inform all students and parents/guardians of the school's discipline rules and procedures and of the availability of all district policies and regulations dealing with student discipline, suspension and expulsion. (Education Code 35291, 35291.5)

(cf. 5145.6 - Parental Notifications)

Suspended or expelled students shall be excluded from all school-related extracurricular activities during the suspension or expulsion.

cf. 6145 - Extracurricular and Cocurricular Activities)

Zero Tolerance

The Board supports a zero tolerance approach to serious offenses in accordance with state and federal law. This approach makes the removal of potentially dangerous students from the classroom a top priority and ensures the standardized treatment of all students. Staff shall immediately report to the Superintendent/ designee any incidence of offenses specified in law, Board policy, and administrative regulation as cause for suspension or expulsion.

Student Due Process

The Board shall provide for the fair treatment of students facing suspension and expulsion by affording them their due process rights under the law. The administration and staff shall comply with procedures for notices and appeals as specified in regulation. Procedures governing student due process shall conform in all aspects to provisions in law. (Education Codes 48911, 48915 and 48915.5)

Whenever a student is suspended, school officials may (but are not required to) meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

cf. 5119 - Students Expelled from Other Districts

(cf. 5144.2 - Suspension and Expulsion/Due Process - Individuals with Exceptional Needs)

Rights of Complaining Witness

An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental or emotional needs of a student who is the complaining witness. (Education Code 48918.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Educational Code 48918.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies
3. Have a closed hearing during the time he/she testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48918.5)

On-Campus Suspension Program

The Board recognizes that students who are suspended from school frequently have no supervision or guidance during the school hours when they are off campus. The Board believes that in many cases, instead of sending the student off campus, it would be better to address the student's misconduct by keeping the student at school and providing him/her with supervision that is separated from the regular classroom.

The Superintendent or designee shall examine alternatives to off-campus suspension and may establish a suspension program which involves progressive discipline during the school day on campus; using conferences between staff, parents/guardians and students; detention; student study teams or other assessment-related teams; and/or referral to school support services staff.

Required Parental Attendance

The Board believes that parental involvement plays an important role in the resolution of classroom behavior problems. The Board expects that teachers will communicate with parents/guardians when behavior problems arise

Whenever a student is suspended from a class because he/she committed an obscene act, engaged in habitual profanity or vulgarity, disrupted school activities or otherwise willfully defied valid staff authority, the teacher of the class from which the student was suspended may require the student's parent/guardian to attend a portion of a school day in that class. After completing the classroom visit and before leaving school premises, the parent/guardian also shall meet with the principal or designee. (Education Code 48900.1)

The Board encourages teachers, before requiring parental attendance, to make reasonable efforts to have the parent/guardian visit the class voluntarily. The teacher also may consider informing the parent/guardian about available resources which may provide help in the development of parenting skills. Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the student and the parent/guardian and to improve classroom behavior.

Parental attendance may be required on the day the student returns to class or within one week thereafter. The principal or designee shall contact any parents/guardians who do not respond to the request to attend school. The Board recognizes that parental compliance with this policy may be delayed, modified or prevented by serious illness/injury/disability, absence from town, or inability to get certain release time from work.

The teacher shall apply this policy uniformly to all students within the classroom. This policy shall apply only to a parent/guardian who actually lives with the student. (Education Code 48900.1)

District regulations and school-site rules for student discipline shall include procedures for implementing parental attendance requirements.

Parents/guardians shall be notified of this policy before it is implemented and at the beginning of each subsequent school year. (Education Code 48900.1, 35291, 48980)

Decision Not to Enforce Expulsion Order

In cases where expulsion is mandatory pursuant to Education Code 48915(c), the enforcement of an expulsion order shall not be suspended by the Board. In all other cases of expulsion, the order for expulsion may be suspended by the Board, on a case-by-case basis, pursuant to the requirements of law.

Definitions

Suspension from school means removal of a student from on going 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, nor referral to a certificated employee designated by the principal to advise students, nor removal from the class without reassignment to another class or program for the remainder of the period, without sending the student to the principal or designee.

2. Removal from a particular class shall not occur more than once every five school days. (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)

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

School property, for the purposes described in Education Code 48900, includes, but is not limited to, electronic files and databases. (Education Code 48900(s))

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, suspension and expulsion. Transfer students and their parents/guardians shall be notified at the time of enrollment. (Education Code 35291.5, 48900.1, 48980)

(cf. 5144 -Discipline)

(cf. 5145.6 Parental Notifications)

Notification shall include information about the ongoing availability of individual school rules and all district policies and regulations pertaining to student discipline. (Education Code 35291)

(cf. 5145.6 -Parental Notifications)

Grounds for Suspension and Expulsion

Students may be suspended or recommended for expulsion when the Superintendent, principal, or principal's designee at the school in which the student is enrolled determines that the student has done any of the acts listed below:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense. (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However, a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code Board Policy Manual Redlands Unified School District 48900(s))

2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48900(b))

(cf. 5131 - Conduct)

(cf. 5131.7 - Weapons and Dangerous Instruments)

3. Unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of, any controlled substance as defined in the Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind. (Education Code 48900(c))

(cf. 5131.6 -Alcohol and Other Drugs)

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance or material and represented same as controlled substance, alcohol beverage or intoxicant. (Education Code 48900(d))

5. Committed or attempted to commit robbery or extortion. (Education Code 48900(e))

6. Caused or attempted to cause damage to school property or private property. (Education Code 48900(f))

7. Stole or attempted to steal school property or private property. (Education Code 48900(g))

8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products with prior approval of the principal or designee. (Education Code 48900(h))

9. Committed an obscene act or engaged in habitual profanity or vulgarity. (Education Code 48900(i))

10. Unlawfully possessed, or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code. (Education Code 48900(j))

11. Disrupted school activities or otherwise willfully defied 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))

12. Knowingly received stolen school property or private property. (Education Code 48900(1))
13. Possessed an imitation firearm, i.e., 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))
14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code 243.4. (Education Code 48900(n))
15. 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))
16. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug soma. (Education Code 48900(p))
17. Engaged in, or attempted to engage in, hazing as defined in Education Code 32050. (Education Code 48900(q))
18. Made terrorist threats against school officials and/or school property. (Education Code 48900.7)

A student in grades 4 through 12 is also subject to suspension or recommendation for expulsion when it is determined that he/she:

19. Committed sexual harassment as defined in Education Code 212.5. (Education Code 48900.2)
20. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 33032.5. (Education Code 48900.3)
21. 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 Glasswork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment (Education Code 48900.4)

(cf. 5145.3 -Nondiscrimination/Harassment)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent/principal or within any other school district, including but not limited to the following circumstances:

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.

The Superintendent/principal may use his/her discretion to provide alternatives to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program. (Education Code 48900(r))

cf. 5138 -Conflict Resolution/Peer Mediation)

Alternatives to suspension or expulsion will be used against students who are truant, tardy, or otherwise absent from assigned school activities.

(cf. 5113 -Absences and Excuses)

(cf. 5113.1 - Truancy)

Suspension from Class by a Teacher/Parental Attendance

A teacher may suspend any student from the teacher's class for any of the acts listed under "Grounds for Suspension and Expulsion" above for the day of the suspension and the day following. (Education Code 48910)

Suspension from class means the removal of a student from class by a teacher for the day of the suspension and the next day. A teacher may suspend a student from class and may also refer a student for consideration of suspension from school for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

When suspending a student from his/her class, the teacher shall immediately report this action to the principal and send the student to the principal for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been suspended.

As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the suspension. A counselor or psychologist should attend the conference if it is practicable, and a school administrator may attend if either the parent/guardian or teacher so request.

A suspended student shall not be returned to class during the period of suspension without the approval of the teacher of the class and the principal. (Education Code 48910)

A student suspended from class shall not be placed in another regular class during the period of suspension. However, if a student is assigned to more than one class per day, he/she may be placed in any 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 suspended student to complete any assignments and tests missed during the suspension. (Education Code 48913)

When a teacher requires a parent/guardian to attend school in accordance with Board Policy, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is required pursuant to law. (Education Code 48900.1)

1. This notice shall also tell the parent/guardian when his/her presence is expected and by what means he/she may arrange any necessary change.
2. The notice shall describe the protections afforded to the parent/guardian as an employee by Labor Code 230.7.
3. The notice shall state that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student.

The teacher shall remind the parent/guardian to meet with the principal or designee after completing the classroom visit and before leaving school premises.

Suspension By Superintendent, Principal Or Principal's Designee

A Superintendent, principal, or principal's designee may suspend a student from a school for any of the acts listed under "Grounds for Suspension and Expulsion" above for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

The Superintendent or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife, as defined in Education Code 48915(g), at another person.

3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.

4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item 414 under "Grounds for Suspension and Expulsion" above.

5. Possession of an explosive as defined in 18 USC 921.

Suspension may be imposed upon a first offense if the Superintendent, principal or designee determines the student violated items (i) - (v) listed in "Grounds For Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903 and 48912)

Suspension Procedures

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the principal or designee or the Superintendent or designee between 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 and the evidence against him/her and shall be given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911(b))

This conference may be omitted if the principal, designee or the Superintendent or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or school personnel. If the pre-suspension conference is not held, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference will be held as soon as the student is physically able to return to school. (Education Code 48911(c))

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior

A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee, who in turn will inform the Board.

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 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 also state the date and time when the student may return to school.

Should school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may also add that state law requires the parent/guardian to respond to such request without delay.

4. Parent/Guardian Conference: Whenever a student is suspended, school officials may meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such conference. The student may not be denied readmission solely because the parent/guardian failed to attend. (Education Code 48911)

5. Extension of Suspension: If the expulsion of a suspended student is being considered by the Board, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision. (Education Code 48911(g))

Any extension of the original period of suspension shall be 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. Extension of the suspension may be made only if 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(g))

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal or Principal's 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 if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. 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 may hold closed sessions if a public hearing would lead to disclosure of information which would violate a student's right to privacy under Education Code 49073-49079.

(cf. 9321 -Closed Session Purposes and Agendas)

The Board shall provide the student with written notice of the closed session by registered or certified mail. Upon receiving this notice the student 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 shall be in closed session. (Education Codes 48912)

Authority to Expel

A student may be expelled only by the Board. The Board shall expel, as required by law, any student found to have committed certain offenses listed below under "Mandatory Recommendation and Mandatory Expulsion."

The Board may also order a student expelled for any of the acts listed above under "Grounds for Suspension and Expulsion" upon recommendation by the principal, Superintendent, hearing officer or administrative panel, based on finding either or both of the following: (Education Code 48915(b) and (e))

1. That other means of correction are not feasible
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

Mandatory Recommendation For Expulsion

The principal, Superintendent or designee shall recommend a student's expulsion for any of the following acts, unless the principal or Superintendent or designee finds, and reports in writing to the Board, that expulsion is inappropriate due to particular circumstances which shall be set out in the report of the incident:

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife as defined in Education Code 48915(g), explosive 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 the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee.

Mandatory Recommendation And Mandatory Expulsion

The principal, Superintendent or designee shall recommend that the Board expel any student found at school or at a school activity off school grounds to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48915(c).1)
2. Brandishing a knife as defined in Education Code 48915(g) at another person. (Education Code 48915(c).2)
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058. (Education Code 48915(c).3)
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above. (Education Code 48915(c).4)
5. Possessing an explosive as defined in 18 USC 921.

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

Student's Right to Expulsion Hearing

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred. (Education Code 48918(a))

The student is entitled to 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 district's discretion. (Education Code 48918(a))

If the district finds it impracticable 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))

Once the hearing starts, all matters shall be pursued with reasonable diligence and concluded without unnecessary delay. (Education Code 48918(a))

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 48915.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Education Code 48915.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing.

2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies.
3. Have a closed hearing during the time he/she testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48915.5)

Written Notice of the Expulsion Hearing

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least ten 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. A parent/guardian of a student expelled for acts described in paragraphs through 4 of Education Code 48915(a), seeks enrollment in another district they must inform the new district of the students status with the expelling district, pursuant to Education Code 48915.1.

(cf. 5119 -Students Expelled from Other Districts)

5. The opportunity for the student or the student's parent/guardian to appear in person or to employ and be represented by counsel.
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.

Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and Education Code 35145, the Board shall conduct the hearing or arrange for an alternative 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 request is made, the meeting shall be public

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to deliberate and determine if the student should be expelled. If the Board admits any other person to the closed session, the parent/guardian, the student, counsel of the student and counsel of the parent/guardian shall also be allowed to attend the closed session. (Education Code 48918(c))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to have his/her testimony heard in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including but not limited to videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

2. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, so long as a reasonably accurate written and complete transcription of the proceedings can be made. (Education Code 48918(g))

3. Presentation of Evidence: While technical rules of evidence do not apply to such hearings, 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 must be supported by substantial evidence that the student committed any of the above acts listed under "Grounds for Suspension and Expulsion" above. Findings of fact shall be based solely on the evidence at the hearing.

While no evidence 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) and

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 Witness: The following procedures shall be observed when hearings involve allegations of sexual assault or sexual battery by a student: (Education Code 48918)

- a. Any complaining witness shall be given five days' notice before being called to testify.
- b. Any complaining witness shall be entitled to have up to two adult support persons, including but not limited to a parent/guardian or legal counsel, present during his/her testimony.
- c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- e. If one or both support persons are also witnesses, the hearing shall be conducted according to Penal Code 868.5.
- f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard.

Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.

g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.

(1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.

(2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.

(3) The person conducting the hearing may:

- (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness.
- (b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
- (c) Permit one of the support persons to accompany the complaining witness to the witness stand.

6. Decision Within Ten Days: The Board's decision on whether to expel a student shall be made within ten school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

7. Decision Within 40 Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative 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. Alternatively, the Board may 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(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified in "Conduct of Expulsion Hearing" above.

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 student shall be immediately reinstated. (See "Reinstatement" below.) The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers and with the student's parent/guardian. (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))

The hearing officer or administrative panel may recommend that the Board suspend the expulsion for a period of one year. (See "Suspension of Expulsion" below.)

The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Stipulated Expulsions

It is the policy of the Redlands Unified School District that, where approved by the Superintendent or designee, parents/guardians may agree to the expulsion of their pupil by stipulation without necessity of a hearing. This process will expedite the pupil's school placement and may expedite the rehabilitation process.

A stipulated expulsion must be purely voluntary. No district administrator or staff member may coerce a pupil, parent or guardian into entering into such a stipulation. Parents/guardians will be given three calendar days to decide on a stipulated expulsion agreement.

If the parent/guardian requests a stipulated expulsion, the Superintendent or designee will promulgate the stipulated agreement. If at any time the parent/guardian decides not to pursue a stipulated agreement, the expulsion proceedings and timelines, extended by the length of the period for consideration of the stipulation, will be reinstated. The stipulated agreement will be presented to the Board for final consideration.

The stipulated agreement will include the terms and conditions of the expulsion order, including alternative placement and a rehabilitation plan to be completed before the student can be re-admitted to the district.

Final Action by the Board

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel, the final action to expel must be taken by the Board at a public meeting. (Education Code 48918(f)) The Board shall maintain a record of each expulsion, including its cause. Expulsion records shall be non-privileged, disclosable public records.

(cf. 9321.1 - Closed Session Actions and Reports)

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

Upon ordering the 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 an act listed under "Mandatory Recommendation and Mandatory Expulsion" above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. (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 of the student at the time of review for readmission.
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service and other rehabilitative programs.
3. Such other recommendations as the Board approves.

With parental 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)

Upon expulsion, a copy of readmission procedures will be made available to the student and his/her parent/guardian.

Written Notice to Expel

The Superintendent or designee shall send written notice of the decision to expel to the student or parent/guardian. The notice shall include the following:

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed in Education Code 48900(a)-(o), Education Code 48900.2-48900.4 and Education Code 48915(c). (Education Code 48900.8)
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian. (Education Code 48916)
3. Notice of the right to appeal such expulsion to the County Board of Education. (Education Code 48918)
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion. (Education Code 48918)
5. The notice also shall inform the student or parent/guardian of his/her 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)

Suspension of Expulsion

The Board, upon voting to expel a student, may suspend the enforcement of the expulsion order for not more than one calendar year. When deciding whether to suspend an expulsion, the Board shall take into account the following criteria:

1. The student's previous behavior.
2. The seriousness of the misconduct.
3. The student's attitude toward the misconduct and his/her willingness to follow a rehabilitation program.

The suspension of the enforcement of an expulsion shall be governed by the following: (Education Code 48917)

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.
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status.
3. The suspension of expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion" above or violates any of the district's rules and regulations governing student conduct.
4. When suspension of expulsion order is revoked, a student may be expelled under the terms of the original expulsion order
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expungement of any or all records of the expulsion proceedings.
6. Suspension 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 of Education.
7. 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 also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education. (Education Code 48918(i))

Right to Appeal

The student or parent/guardian is entitled to file an appeal of the Board's decision to the County Board of Education.

The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion action is suspended and the student is placed on probation. (Education Code 48919)

Post-Expulsion Placements

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 such a site.
3. Not housed at the school site attended by the student at the time of suspension.

(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for acts described in items #6 through # 13 and # 17 through # 19 under "Grounds for Suspension and Expulsion" above may be instead referred to a program of study that is provided at another comprehensive middle, junior, or senior high school, or at an elementary school.

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)

Reinstatement

When the Board accepts a recommendation against expulsion or makes its own decision after the hearing not to expel, the decision is final and the student shall be reinstated immediately. The Superintendent or designee shall place the student in any classroom program, other instructional program, rehabilitation program, or any combination of such programs following consultation with district personnel, including the teacher involved, and with the student's parent/guardian. (Education Code 48918(e))

Readmission

An expulsion order shall remain in effect until the Board may order the readmission of the student.

Readmission procedures shall be as follows:

1. A written request for review of expulsion action and request for readmission shall be submitted by the parent/guardian to the Superintendent or designee.
2. The Superintendent or designee will hold a conference with the parent/guardian and the student.
3. At the conference the conditions for readmission will be reviewed. The Superintendent or designee shall verify that the rehabilitation plan has been met.
4. School regulations will be reviewed and the student and parent/guardian will be asked to indicate in writing their willingness to comply with these regulations.
5. The Superintendent or designee will transmit the request for readmission to the Board, along with his/her recommendation. The Board shall consider the request in closed session if the information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it will be honored.
6. The Superintendent or designee will notify the student or parent/guardian, by registered mail, of the district's decision regarding readmission.
7. 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)
8. 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. (Education Code 48916)
9. 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)

Maintenance of Records

The Board will maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls, within five days of a written request by the admitting school. (Education Code 48900.8, 48918(k))

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district. (Education Code 48915.1)

cf. 5119 - Students Expelled from Other Districts)

(cf. 5125 - Student Records)

Notifications and Reports

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering or sale of controlled substances, alcohol, or intoxicants of any kind.

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 also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

Outcome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion.
2. The specific grounds for each recommended expulsion.
3. Whether the student was subsequently expelled.
4. Whether the expulsion order was suspended.
5. The type of referral made after the expulsion.
6. The disposition of the student after the end of the expulsion period.

Suspension and Expulsion/Due Process

Redlands Unified
Administrative Regulation
AR 51441
Adopted June 27, 1995
Students

Definitions

Suspension from school 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. Removal from a particular class shall not occur more than once every five school days.

Expulsion means removal of a student from the immediate supervision and control, or the general supervision, of school personnel. (Education Code 48925)

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian or legal counsel. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

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, suspension and expulsion. Transfer students and their parents/guardians shall be notified at the time of enrollment. (Education Code 35291.5, 48900.1, 48980)
(cf. 5144 - Discipline)

Notification shall include information about the ongoing availability of individual school rules and all district policies and regulations pertaining to student discipline. (Education Code 35291)
(cf. 5145.6 - Parental Notifications)

Grounds for Suspension and Expulsion

A student may be subject to suspension or expulsion when it is determined that he/she:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense. (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aide or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code 48900(s))

2. Possessed, sold, or otherwise furnished any firearm. Knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48900(b))
(cf. 5131 - Conduct)
(cf. 5131.7 - Weapons and Dangerous Instruments)

3. Unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of, any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind. (Education Code 48900(c))
(cf. 5131.6 - Alcohol and Other Drugs)

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid, substance or material and represented same as controlled substance, alcohol beverage or intoxicant. (Education Code 48900(d))

5. Committed or attempted to commit robbery or extortion. (Education Code 48900(e))

6. Caused or attempted to cause damage to school property or private property. (Education Code 48900(f))

7. Stole or attempted to steal school property or private property. (Education Code 48900(g))

8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products (Education Code 48900(h))

9. Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))

10. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5. (Education Code 48900(j))

11. Disrupted school activities or otherwise willfully defied 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))

12. Knowingly received stolen school property or private property. (Education Code 48900(l))

13. Possessed an imitation firearm, i.e., 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))

14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code 243.4. (Education Code 48900(n))

15. 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))

16. Made terrorist threats against school officials and/or school property. (Education Code 48900.7)

Pursuant to Education Code 48900.7, the making of a terrorist threat includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person or property damage in excess of \$1,000.00, 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.

A student in grades 4 through 12 is also subject to suspension or recommendation for expulsion when it is determined that he/she:

17. Committed sexual harassment as defined in Education Code 212.5. (Education Code 48900.2)

Pursuant to Education Code 48900.2 the conduct constitutes harassment when considered from the perspective of a reasonable person of the same gender as the victim to be 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.

(cf. 5145.7 - Sexual Harassment)

18. 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)

(cf. 5145.9 - Hate-Motivated Behavior)

Education Code 233 defines "hate violence" as any act punishable under Penal Code 422.6, 442.7 or 422.75. Such acts include injuring or intimidating another person, interfering with the exercise of a person's civil rights, or damaging a person's property because of the person's race, color, religion, ancestry, national origin, disability, gender or sexual orientation.

19. Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading student rights by creating an intimidating or hostile educational environment. (Education Code 48900.4)

(cf. 5145.3 - Nondiscrimination/Harassment)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent or principal or within any other school district, including but not limited to the following circumstances: (Education Code 48900)

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.

The Superintendent or principal may use his/her discretion to provide alternative to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program. (Education Code 48900(r))

Alternatives to suspension or expulsion will be used with students who are truant, tardy, or otherwise absent from assigned school activities.

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Truancy)

Removal from Class by a Teacher/Parental Attendance

A teacher may suspend any student from his/her class for the remainder of the day and the following day for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

A teacher also may refer a student to the principal or designee for consideration of suspension from school. (Education Code 48910)

When removing a student from his/her class, the teacher shall immediately report this action to the principal and send the student to the principal for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been removed.

As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the removal. A counselor or psychologist should attend the conference if it is practicable, and a school administrator may attend if either the parent/guardian or teacher so requests.

A student removed from class shall not be returned to class during the period of removal without the approval of the teacher of the class and the principal. (Education Code 48910)

A student removed from class shall not be placed in another regular class during the period of removal. However, if a student is assigned to more than one class per day, he/she may be placed in any other regular classes except those held at the same time as the class from which the student was removed. (Education Code 48910)

The teacher of any class from which a student is removed may require the student to complete any assignments and tests missed during the removal. (Education Code 48913)

Pursuant to Board policy, a teacher may provide that the parent/guardian of a student whom the teacher has removed attend a portion of a school day in his/her child's classroom. When a teacher makes this request, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is requested pursuant to law. (Education Code 48900.1)

This notice shall also:

1. Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternate date.
2. Describe the legal protections afforded to the parent/guardian as an employee under Labor Code 230.7.
3. State that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student.
4. Ask the parent/guardian to meet with the principal after the visit and before leaving school, as required by Education Code 48900.1.

Suspension by Superintendent, Principal or Principal's Designee

The Superintendent, principal or principal's designee may suspend a student from a school for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

The Superintendent or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife, as defined in Education Code 48915(g), at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion".
5. Possession of an explosive as defined in 18 USC 921.

Suspension also may be imposed upon a first offense if the Superintendent, principal or designee determines the student violated items #1-5 listed in "Grounds for Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903, 48912)

The Superintendent or designee may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which a student may be suspended in any school year. (Education Code 48903)

Suspensions shall be initiated according to the following procedures:

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the principal, designee or the Superintendent 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 and the evidence against him/her; the student shall be given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911(b))

This conference may be omitted if the principal, designee or the Superintendent determines that an emergency situation exists. An "emergency situation" involves 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 a conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference will be held as soon as the student is physically able to return to school. (Education Code 48911(c))

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee.

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 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 also state the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may add that state law requires the parent/guardian to respond to such requests without delay.

4. Parent/Guardian Conference: Whenever a student is suspended, school officials may meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such conference. The student may not be denied readmission solely because the parent/guardian failed to attend. (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. (Education Code 48911(g))

Any extension of the original period of suspension shall be 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. Extension of the suspension may be made only if 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)

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal or Principal's 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 if any of the acts listed in “Grounds for Suspension and Expulsion” occurred. 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 closed sessions if a public hearing would lead to disclosure of information violating a student’s right privacy under Education Code 49073-49079.

(cf. 9321 - Closed Session Purposes and Agendas)

The Board shall provide the student and his/her parent/guardian with written notice of the closed session by or certified mail. 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 Codes 35146, 48912)

On-Campus Suspension Program

Students for whom an expulsion action has not been initiated and who pose no imminent danger or threat to the school may be assigned to a separate, supervised suspension classroom for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

1. The supervised suspension classroom shall be staffed in accordance with law.
2. The student shall have access to appropriate counseling services.
3. The supervised suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.
4. Each student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom. The teacher 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 a supervised 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 shall be made in writing. (Education Code 48911.1)

Authority to Expel

A student may be expelled only by the Board. The Board shall expel, as required by law, any student found to have committed certain offenses listed below under “Mandatory Recommendation and Mandatory Expulsion.”

The Board also may order a student expelled for any of the acts listed under “Grounds for Suspension and Expulsion” upon recommendation by the principal, Superintendent, hearing officer or administrative panel, based on finding 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.

Mandatory Recommendation for Expulsion

Unless the principal, Superintendent or designee finds that expulsion is inappropriate due to particular circumstances, the principal, Superintendent or designee shall recommend a student’s expulsion for any of the following acts: (Education Code 48915 (a))

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife as defined in Education Code 48915(g), explosive or other dangerous object of no reasonable use to the student.
3. Unlawful possession of any controlled substance, as listed in the Health and Safety Code 11053-11058, except for the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee.

Mandatory Recommendation and Mandatory Expulsion

Note: The Attorney General has determined, in 80 Ops.Cal. Atty. Gen. 347 (1997), that a district may not adopt a zero tolerance policy mandating expulsion of a student for a first offense of possession of a controlled substance or alcohol.

The principal, Superintendent or designee shall recommend that the Board expel any student found at school or at a school activity to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife as defined in Education Code 48915(g) at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above.
5. Possessing an explosive as defined in 18 USC 921.

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

The initial recommendation for consideration of expulsion is that of the school principal or the Superintendent. Designees may not make this type of recommendation.

The recommendation for consideration of expulsion shall be submitted to the Director, Office of Student Services, who will review the material and recommend:

1. Reassignment to appropriate regular education program.
2. Refer student to Alternative Program; i.e., Community School, Independent Study, Continuation or Opportunity School, or other district programs.
3. Refer the matter to the Discipline Review Panel for further consideration.

When a case is referred to the discipline Review Panel, the panel shall question school personnel who have information on the incident and the behavior record of the student charged and weighs the evidence presented.

The panel shall, in the case of an expulsion consideration, weigh information presented to determine:

- a. Is the evidence sufficient to support consideration by the expulsion panel?
- b. Has the district, through the schools involved, considered or utilized alternatives to expulsion when possible?
- c. Have due process procedures been adhered to?

The recommendation shall be either to proceed with the expulsion or to utilize an existing practical alternative in lieu of expulsion.

If the district (school) has not adhered to due process requirements, the student shall be returned to school immediately.

If the Discipline Review Panel meets to consider a matter other than an expulsion, it shall provide its best judgment as to an effective alternative program or plan to action.

The recommendation of the Discipline Review Panel shall be forwarded to the Director, Office of Student Services, who shall then review the facts, concur, veto or modify the recommendation.

4. That an expulsion panel be convened.

At the time a recommendation for expulsion is submitted, a hearing shall be scheduled by the Superintendent or designee to determine whether the suspension shall be extended. If the decision is to extend the suspension, the period of time shall be until the Board has rendered a decision or until the expulsion process is otherwise terminated.

The extension of suspension shall be based upon determination by the Superintendent or designee that the presence of the student at the school or in an alternative school placement would cause a danger to persons or property or a threat of disrupting the instructional process. This extension shall be imposed only after the student and the parent/guardian have been given the opportunity to be present at a hearing conducted by the Superintendent or designee. At this time, the student and parent/guardian shall be given the opportunity to be heard and present any information that might bear upon the decision.

Materials which support the decision of the person recommending the expulsion shall be prepared and submitted to the Office of Student Services. The departments of Attendance, Guidance, Special Education and/or Health may be requested to assist in the preparation of this material.

Student's Right to Expulsion Hearing

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred. (Education Code 48918 (a))

The student is entitled to 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 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 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 no 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))

Waiver of Hearing (Default Proceedings)

If the parent/guardian agrees that their son/daughter behaved essentially in the manner stated in the principals letter recommending expulsion and that such behavior constitutes a violation of the California Education Code, Section 48900, 48900.2, 48900.3, 48900.4, 48900.7 and/or 48915 a suspendable/expellable offense, the parent/guardian may request to waive the Administrative Hearing Panel.

When the parent/guardian agrees to waive the Administrative Hearing Panel, they also waive all notification and timelines related to the expulsion hearing process, along with their rights to appeal the determination of the Board.

The signed affidavit and findings of fact will be submitted to the Board for their approval. The Board has the discretionary power to accept, reject, or modify all recommendations.

Rights of Complaining Witness

An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental or emotional needs of a student who is the complaining witness. (Education Code 48918.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to all the following: (Education Code 48918.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing.
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies.
3. Have a closed hearing during the time he/she testifies.

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48918.5)

Written Notice of the Expulsion Hearing (Education Code 48918(b))

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least 10 calendar days before the date of the hearing. The notice shall include: (Education Code 48900.8, 48918 (b))

1. The date and place of the hearing.
2. A statement of the specific facts, charges and offense upon which the proposed expulsion is based.
3. A copy of district disciplinary rules which relate to the alleged violation.
4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment. This obligation applies when a student is expelled for acts other than those described in Education Code 48915 (a) or (c).
(cf. 5119 - Students Expelled from other Districts)

5. The opportunity for the student or the student's parent/guardian to appear in person and/or be represented by legal counsel or by a non-attorney advisor.

Legal counsel means an attorney or lawyer who is admitted to the practice of law in California and is an active member of the State Bar of California.

Non-attorney advisor 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.

Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and 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 request is made, the meeting shall be public, unless another student's privacy rights would be violated.

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to determine if the student should be expelled. If the Board admits any other person to the closed session, the parent/guardian, the student, and the counsel of the student, shall also be allowed to attend the closed session. (Education Code 48918(c))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to have his/her testimony heard in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including but not limited to videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

2. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate written and complete transcription of the proceedings can be made. (Education Code 48918(g))

3. Subpoenas: Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with the Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20, formerly 11525. (Education Code 48918(i))

Any objection raised by the student or the Superintendent or designee to the issuance of subpoenas may be considered by the Board in closed session, or in open session if so requested by the student, before the meeting. The Board's decision in response to such an objection shall be final and binding. (Education Code 48918(i))

If the Board determines, or if the hearing officer or administrative panel finds and submits to the Board, that a witness would be subject to unreasonable risk of harm by testifying at the hearing, a subpoena shall not be issued to compel the personal attendance of that witness at the hearing. However, that witness may be compelled to testify by means of a sworn declaration as described in item #4 below. (Education Code 48918(i))

4. Presentation of Evidence: While technical rules of evidence do not apply to expulsion hearings, 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 must be supported by substantial evidence that the student committed any of the acts listed in "Grounds for Suspension and Expulsion" above.

Findings of fact shall be based solely on the evidence at the hearing. While no evidence 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) and (h))

In cases where a search of a student's person or property has occurred, evidence describing the reasonableness of the search shall be included in the hearing record.

5. Testimony by Complaining Witnesses: The following procedures shall be observed when hearings involve allegations of sexual assault or sexual battery by a student: (Education Code 48918)

- a. Any complaining witness shall be given five days' notice before being called to testify.
- b. Any complaining witness shall be entitled to have up to two adult support persons, including but not limited to a parent/guardian or legal counsel, present during his/her testimony.
- c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- e. If one or both support persons are also witnesses, the hearing shall be conducted according to Penal Code 868.5.
- f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.
- g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.
 - (1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.
 - (2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.
 - (3) The person conducting the hearing may:
 - (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness.
 - (b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
 - (c) Permit one of the support persons to accompany the complaining witness to the witness stand.

6. Decision Within 10 Days: The Board's decision on whether to expel a student shall be made within 10 school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

7. Decision Within 40 Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

Instead of conducting an expulsion hearing itself, the Board may contract with the county hearing officer or with the Office of Administrative Hearings of the State of California for a hearing officer. Alternatively, the Board may 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(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified in "Conduct of Expulsion Hearing."

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 student shall be immediately reinstated. (See "Reinstatement.") The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers, and with the student's parent/guardian. (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 for a period of one year. (See "Decision Not to Enforce Expulsion Order" below.)

The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

The Discipline Review Panel

The Discipline Review Panel will consist of elementary educators when a review is being made of an elementary student and of secondary educators when a review is being made of secondary student.

1. The Discipline Review Panel shall hear the following types of disciplinary cases:
 - a. Requests for expulsion from site principals or the Superintendent.
 - b. School site administrative requests for assistance (non-expulsion situations).
2. Each discipline review panel shall consist of three certificated persons plus a chairperson and shall consist of elementary educators when a review is being made of an elementary student and of secondary educators when a review is being made of a secondary student. A panelist may not serve on any panel involving a student who is currently attending the school in which he/she is assigned. A representative from Student Services shall be a nonvoting member of each panel.

A chairperson and assistant chairperson, to serve when the chairperson is unable to serve, shall be appointed by the Superintendent or designee and shall serve at his/her pleasure. Neither shall be a member of the Student Services staff.

A pool of panelists shall be established which shall be composed of personnel who have served or are currently serving as members of administrative expulsion panels. The committee chairman shall select members to serve on individual panels.

The meetings of the discipline review panel are open to school district personnel only.

The duties of the Discipline Review Panel are as follows:

1. The chairperson shall call a meeting of the panel as soon as possible, but no later than 10 school days after the receipt of notice of a pending case.
2. A recommendation must be forwarded to the Director, Office of Student Services, within three days of the review hearing.
3. In the event a member of the committee cannot be present at a meeting, the Director, Office of Student Services, will appoint an alternate from the pool to attend.

Final Action by the Board

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel, the final action to expel shall be taken by the Board at a public meeting. (Education Code 48918(j))

(cf. 9321.1 - Closed Session Actions and Reports)

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

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 an act listed under “Mandatory Recommendation and Mandatory Expulsion” above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. (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 of the student at the time of review for readmission.
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service and other rehabilitative programs.

With parental 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 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 in Education Code 48900 (a)-(o), Education Code 48900.2-48900.4, Education Code 48915 (c) and (Education Code 48900.8).
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian. (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Governing Board. (Education Code 48918)
4. Notice of the alternative educational placements 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 Not to Enforce Expulsion Order

In accordance with Board policy, when deciding whether to suspend the enforcement of an expulsion, the Board shall take into account the following criteria:

1. The student’s pattern of behavior.
2. The seriousness of the misconduct.
3. The student’s attitude toward the misconduct and his/her willingness to follow a rehabilitation program.

The suspension of the enforcement of an expulsion shall be governed by the following: (Education Code 48917)

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.
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status.
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” above or violates any of the district’s rules and regulations governing student conduct.
4. When the suspension of the enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order.
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings.
6. 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 County Board of Education.

7. 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 also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education. (Education Code 48918 (j))

Right to Appeal

The student or parent/guardian is entitled to file an appeal of the Board's decision to the County Board of Education. The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion action is suspended and the student is placed on probation. (Education Code 48919)

Post-Expulsion Placements

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 such a site.
3. Not housed at the school site attended by the student at the time of suspension.

(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for acts described in items #6 through #13 and #17 through #19 under "Grounds for Suspension and Expulsion" may be instead 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

Readmission procedures shall be as follows:

1. On the date set by the Board when it ordered the expulsion, the district shall consider readmission of the student. (Education Code 48916)
2. 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.
3. The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session if information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it shall be honored.
4. 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.
5. 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)
6. 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. (Education Code 48916)
7. 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)

Maintenance of Records

The Board shall maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls, within five days of a written request by the admitting school. (Education Code 48900.8, 48918(k))

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district. (Education Code 48915.1)

(cf. 5119 - Students Expelled from Other Districts)

(cf. 5125 - Student Records)

Notifications 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 also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering or sale of controlled substances, alcohol, or intoxicants of any kind. (Education Code 48902)

Ouome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion.
2. The grounds for each recommended expulsion.
3. Whether the student was subsequently expelled.
4. Whether the expulsion order was suspended.
5. The type of referral made after the expulsion.
6. The disposition of the student after the end of the expulsion period.

Regulation: REDLANDS UNIFIED SCHOOL DISTRICT

Approved: June 27, 1995, Redlands, California

(D) Procedures to Notify Teachers of Dangerous Pupils (EC 49079)

Teachers are notified at the beginning of each school year if they have a child in their new class roster that was suspended the previous school year. Teachers are given the opportunity to request to view those records.

(E) Sexual Harassment Policies (EC 212.6 [b])

Policy 4119.11: Sex Discrimination and Sex-Based Harassment

The Governing Board is committed to providing a safe work environment that is free of harassment and intimidation. The Board prohibits sexual harassment against district employees by anyone, in any manner, and prohibits retaliatory action or behavior against any persons who complains, testifies, or otherwise participates in the complaint process established pursuant to this policy and accompanying administrative regulation. This policy shall apply to all district employees, interns, volunteers, contractors, job applicants, and other persons with an employment relationship with the district.

(cf. 0410 - Nondiscrimination in District Programs and Activities) (cf. 4030 - Nondiscrimination in Employment)

Sexual harassment includes, but is not limited to, harassment that is based on the sex, gender, gender identity, gender expression, or sexual orientation of the victim and harassment based on pregnancy, childbirth, or related medical conditions.

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation, and correction of sexual harassment, including but not limited to:

1. Providing training to all staff in accordance with law and administrative regulation.
2. Publicizing and disseminating the district's sexual harassment policy to staff.
3. Ensuring prompt, thorough, equitable, and fair investigation of complaints
4. Taking timely and appropriate corrective/remedial actions which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments.

The Superintendent or designee shall periodically evaluate the effectiveness of the district's strategies to prevent and address harassment. Such evaluation may involve conducting regular anonymous employee surveys to assess whether harassment is occurring or is perceived to be tolerated, partnering with researchers or other agencies with the needed expertise to evaluate the district's prevention strategies, and using any other effective tool for receiving feedback on systems and/or processes. As necessary, changes shall be made to the harassment policy, complaint procedures, or training.

Sexual Harassment Reports and Complaints

Any district employee who feels that he/she has been sexually harassed in the performance of their district responsibilities or who has knowledge of any incident of sexual harassment by or against another employee shall immediately report the incident to his/her supervisor, the principal, other district administrator, or the district's Title IX Coordinator. However, an employee may bypass his/her supervisor in filing a complaint if the supervisor is the subject of the complaint. A supervisor, principal, or district administrator who receives a harassment complaint shall promptly notify the Title IX Coordinator.

Once notified, the Title IX Coordinator shall ensure the complaint or allegation is addressed through AR 4119.12/4219.12/4319.12 – Title IX Sexual Harassment Complaint Procedures or AR 4030- Nondiscrimination in Employment, as applicable. Because a complaint or allegation that is dismissed or denied under the Title IX complaint procedure may still be subject to consideration under state law, the Title IX Coordinator shall ensure that any implementation of AR 4119.12/4219.12/4319.12 concurrently meets the requirements of AR 4030.

Notwithstanding the above, BP/AR 4119.12/4219.12/4319.12 and 4030 shall under no circumstances be used to resolve complaints brought by, on behalf of, or against students. All complaints brought by, on behalf of, or against students that allege “sexual harassment” as that term is defined in the federal regulations implementing Title IX of the Education Amendments of 1972 (see 34 C.F.R. § 106, et seq.) shall be investigated and resolved under BP/AR 5145.71. All complaints brought by, on behalf of, or against students that do not meet the definition of “sexual harassment” as set forth in the Title IX implementing regulations shall be investigated and resolved under BP/AR 1312.3.

(cf. 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaints)

The Title IX Coordinator shall offer supportive measures to the complainant and respondent, as deemed appropriate under the circumstances.

Upon investigation of a sexual harassment complaint, any district employee who engages, or participates in sexual harassment, or who aids, abets, incites, compels, or coerces another to commit sexual harassment in violation of this policy is subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Reports) (cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4218 -

Dismissal/Suspension/Disciplinary Action)

Regulation 4119.12: Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures

The complaint procedures described in this administrative regulation shall be used to address any complaint governed by Title IX of the Education Amendments of 1972 alleging that a district employee, while in an education program or activity in which a district school exercises substantial control over the context and respondent, was subjected to one or more of the following forms of sexual harassment: (34 CFR 106.30, 106.44)

1. A district employee conditioning the provision of a district aid, benefit, or service on a person's participation in unwelcome sexual conduct
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291 (cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

All other sexual harassment complaints or allegations shall be investigated and resolved in accordance with AR 4030

- Nondiscrimination in Employment. The determination of whether the allegations meet the definition of sexual harassment under Title IX shall be made by the district's Title IX Coordinator.

(cf. 4030 - Nondiscrimination in Employment)

Because the complainant has a right to pursue a complaint under AR 4030 for any allegation that is dismissed or denied under the Title IX complaint procedure, the Title IX Coordinator shall ensure that all requirements and timelines for AR 4030 are concurrently met while implementing the Title IX procedure.

Reporting Allegations/Filing a Formal Complaint

An employee who is the alleged victim of sexual harassment may submit a report of sexual harassment to the district's Title IX Coordinator using the contact information listed in AR 4119.11/4219.11/4319.11 - Sexual Harassment or to the employee's direct supervisor or other district administrator, who shall forward the report to the Title IX Coordinator within one day of receiving the report. Upon receiving such a report, the Title IX Coordinator shall inform the complainant of the right to file a formal complaint and the process for filing a formal complaint.

A formal complaint, with the complainant's physical or digital signature, may be filed with the Title IX Coordinator in person, by mail, by email, or by any other method authorized by the district. (34 CFR 106.30)

Even if the alleged victim chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations when a safety threat exists. In addition, the Title IX Coordinator may file a formal complaint in other situations as permitted under the Title IX regulations, including as part of the district's obligation to not be deliberately indifferent to known allegations of sexual harassment. In such cases, the Title IX Coordinator shall provide the alleged victim notices as required by the Title IX regulations at specific points in the complaint process.

The Title IX Coordinator, investigator, decision-maker, or a facilitator of an informal resolution process shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. Such persons shall receive training in accordance with 34 CFR 106.45. (34 CFR 106.45)

Supportive Measures

Upon receipt of a report of Title IX sexual harassment, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures and shall consider the complainant's wishes with respect to the supportive measures implemented. Supportive measures shall be offered as appropriate, as reasonably available, and without charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures shall be nondisciplinary, nonpunitive, and not unreasonably burden the other party, including measures designed to protect the safety of all parties or the district's educational environment or to deter sexual harassment. Supportive measures may include, but are not limited to, counseling, extensions of deadlines, modifications of work schedules, mutual restrictions on contact, changes in work locations, leaves of absence, increased security, and monitoring of certain areas of the campus. (34 CFR 106.30, 106.44)

The district shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the district's ability to provide the supportive measures. (34 CFR 106.30)

Emergency Removal

If a district employee is the respondent, the employee may be placed on administrative leave during the pendency of the formal complaint process. (34 CFR 106.44)

If the respondent is a student, the district may, on an emergency basis, remove the student from the district's education program or activity, provided that the district conducts an individualized safety and risk analysis, determines that removal is justified due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations, and provides the student with notice and an opportunity to challenge the decision immediately following the removal. This authority to remove a student does not modify a student's rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973. (34 CFR 106.44)

Dismissal of Complaint

The Title IX Coordinator shall dismiss a formal complaint if the alleged conduct would not constitute sexual harassment as defined in

34 CFR 106.30 even if proved. The Title IX Coordinator shall also dismiss any complaint in which the alleged conduct did not occur in the district's education program or activity or did not occur against a person in the United States, and may dismiss a formal complaint if the complainant notifies the district in writing that the complainant would like to withdraw the complaint or any allegations in the complaint, the respondent is no longer employed by the district, or sufficient circumstances prevent the district from gathering evidence sufficient to reach a determination with regard to the complaint. (34 CFR 106.45)

Upon dismissal, the Title IX Coordinator shall promptly send written notice of the dismissal and the reasons for the dismissal simultaneously to the parties and shall inform them of their right to appeal the dismissal of a formal complaint or any allegation in the complaint in accordance with the appeal procedures described in the section "Appeals" below. (34 CFR 106.45)

If a complaint is dismissed, the conduct may still be addressed pursuant to AR 4030 - Nondiscrimination in Employment as applicable.

Informal Resolution Process

When a formal complaint of sexual harassment is filed, the district may offer an informal resolution process, such as mediation, at any time prior to reaching a determination regarding responsibility. The district shall not require a party to participate in the informal resolution process or to waive the right to an investigation and adjudication of a formal complaint. (34 CFR 106.45)

The district may facilitate an informal resolution process provided that the district: (34 CFR 106.45)

1. Provides the parties with written notice disclosing the allegations, the requirements of the informal resolution process, the right to withdraw from the informal process and resume the formal complaint process, and any consequences resulting from participating in the informal resolution process, including that records will be maintained or could be shared.
2. Obtains the parties' voluntary, written consent to the informal resolution process

Written Notice

If a formal complaint is filed, the Title IX Coordinator shall provide the known parties with written notice of the following: (34 CFR 106.45)

1. The district's complaint process, including any informal resolution process
2. The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known. Such notice shall be provided with sufficient time for the parties to prepare a response before any initial interview. If, during the course of the investigation, new Title IX allegations arise about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.
3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process
4. The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an attorney, and the ability to inspect and review evidence
5. The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process

The above notice shall also include the name of the investigator, facilitator of an informal process, and decision-maker and shall inform the parties that, if at any time a party has concerns regarding conflict of interest or bias regarding any of these persons, the party should immediately notify the Title IX Coordinator.

Investigation Procedures

During the investigation process, the district's designated investigator shall: (34 CFR 106.45)

1. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and

exculpatory evidence

2. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence
3. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney
4. Not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding, although the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as the restrictions apply equally to both parties
5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate
6. Send in an electronic format or hard copy to both parties and their advisors, if any, the evidence obtained as part of the investigation that is directly related to the allegations raised in the complaint, and provide the parties at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report
7. Objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and determine credibility in a manner that is not based on a person's status as a complainant, respondent, or witness
8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review and written response

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. (34 CFR 106.45)

Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.

If the complaint is against an employee, rights conferred under an applicable collective bargaining agreement shall be applied to the extent they do not conflict with the Title IX requirements.

Written Decision

The Superintendent shall designate an employee as the decision-maker to determine responsibility for the alleged conduct, who shall not be the Title IX Coordinator or a person involved in the investigation of the matter. (34 CFR 106.45)

After the investigative report has been sent to the parties but before reaching a determination regarding responsibility, the decision-maker shall afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party.

The decision-maker shall issue, and simultaneously provide to both parties, a written decision as to whether the respondent is responsible for the alleged conduct. (34 CFR 106.45)

The written decision shall be issued within 60 calendar days of the receipt of the complaint.

The timeline may be temporarily extended for good cause with written notice to the complainant and respondent of the extension and the reasons for the action. (34 CFR 106.45)

In making this determination, the decision-maker shall use the "preponderance of the evidence" standard for all formal complaints of sexual harassment. (34 CFR 106.45)

The written decision shall include the following: (34 CFR 106.45)

1. Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR 106.30

2. A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the district includes hearings as part of the grievance process
3. Findings of fact supporting the determination
4. Conclusions regarding the application of the district's code of conduct or policies to the facts
5. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's educational program or activity will be provided by the district to the complainant
6. The district's procedures and permissible bases for the complainant and respondent to appeal

Appeals

Either party may appeal the district's decision or dismissal of a formal complaint or any allegation in the complaint, if the party believes that a procedural irregularity affected the outcome, new evidence is available that could affect the outcome, or a conflict of interest or bias by the Title IX Coordinator, investigator(s), or decision-maker(s) affected the outcome. If an appeal is filed, the district shall: (34 CFR 106.45)

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties
2. Ensure that the decision-maker(s) for the appeal is trained in accordance with 34 CFR 106.45 and is not the same decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator
3. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome
4. Issue a written decision describing the result of the appeal and the rationale for the result
5. Provide the written decision simultaneously to both parties

An appeal must be filed in writing within 10 calendar days of receiving the notice of the decision or dismissal, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered.

A written decision shall be provided to the parties within 20 calendar days from the receipt of the appeal.

Either party has the right to file a complaint with the U.S. Department of Education's Office for Civil Rights within 180 days of the date of the most recently alleged misconduct.

The complainant shall be advised of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal antidiscrimination laws, if applicable.

Remedies

When a determination of responsibility for sexual harassment has been made against the respondent, the district shall provide remedies to the complainant. Such remedies may include the same individualized services described above in the section "Supportive Measures," but need not be nondisciplinary or nonpunitive and need not avoid burdening the respondent. (34 CFR 106.45)

Disciplinary Actions

The district shall not impose any disciplinary sanctions or other actions against a respondent, other than supportive measures as described above in the section "Supportive Measures," until the complaint procedure has been completed and a determination of responsibility has been made. (34 CFR 106.44)

When an employee is found to have committed sexual harassment or retaliation, the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.
(cf. 4117.7/4317.7 - Employment Status Report)
(cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4119.11/4219.11/4319.11 - Sexual Harassment) (cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Record-Keeping

The Superintendent or designee shall maintain, for a period of seven years: (34 CFR 106.45)

1. A record of all reported cases and Title IX investigations of sexual harassment, any determinations of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary sanctions imposed, any remedies provided to the complainant, and any appeal or informal resolution and the results therefrom.

2. A record of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment, including the district's basis for its conclusion that its response was not deliberately indifferent, the measures taken that were designed to restore or preserve equal access to the education program or activity, and, if no supportive measures were provided to the complainant, the reasons that such a response was not unreasonable in light of the known circumstances.

3. All materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process. The district shall make such training materials publicly available on its web site, or if the district does not maintain a web site, available upon request by members of the public.

(cf. 1113 - District and School Web Sites) (cf. 3580 - District Records)

(F) School-wide Dress Code Relating to Gang-Related Apparel (EC 35183)

Policy 5132.16: Student Dress Guidelines

The Governing Board believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Students' clothing must not present a health or safety hazard or a distraction which would interfere with the educational process.

Students and parents/guardians shall be informed about dress and grooming standards at the beginning of the school year and whenever these standards are revised. A student who violates these standards shall be subject to appropriate 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 dress code may be included as part of the school safety plan and must be presented to the Board for approval. The Board shall approve the plan upon determining that it is necessary to protect the health and safety of the school's students.

Uniforms

The Board recognizes that, in order to promote student safety and discourage peer rivalry and/or gang activity, the principal, staff and parent/guardian at a school site may wish to establish a reasonable dress code, which may include voluntary school uniforms.

Dress codes, which include voluntary school uniforms, may be included as part of the school safety plan submitted as required.

The Superintendent or designee shall establish procedures that schools, parents and guardians will follow if they decide to participate with the voluntary school uniform policy. Students shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardian decide not to participate.

The Governing Board feels that there is nothing inherently wrong with dress or color of dress, but when student's dress serves to intimidate or impede the rights of other students it will be determined that dress is in violation of this policy. A student may not remain at school dressed in a manner which (1) creates a safety hazard for said student or for other students at school, and/or (2) when the dress constitutes a serious and unnecessary distraction to the learning process or tends to disrupt campus order

When the site administrator/designee determines that a student's attire is in violation of this policy, the student will be required to modify his/her clothing and/or apparel in such a manner that it no longer violates this policy. If necessary, the student may be taken or sent home with parental permission to modify unacceptable dress and return to school. Refusal to take steps as described in this policy shall be cause for disciplinary action against the student. Any such disciplinary action shall be handled pursuant to existing student disciplinary policy

Parents/guardians have primary responsibility to see that students are properly attired for school. School district personnel have the responsibility for maintaining proper and appropriate conditions conducive to learning. Hence, the following guidelines will be implemented in all district schools.

1. Shoes will be worn at all times. A substantial sole is required and enclosed toe and heel footwear are highly encouraged.
2. Extremely brief garments that are distracting to the educational environment are not appropriate. Clothing shall be sufficient to conceal undergarments at all times.
3. Clothing or accessories shall be free of writing, pictures or any other insignia which are crude, violent, obscene or sexually suggestive or which advocate racial, ethnic or religious prejudice or the use of tobacco, drugs or alcohol.
4. Earrings, jewelry, or accessories which present a safety hazard to the wearer or others are not suitable for school wear.
5. Only prescription sunglasses may be worn in class. Other types of sunglasses may be worn on campus outside of class.
6. Identified gang attire such as bandannas, haircuts or hair rollers, or any gang paraphernalia are prohibited.

Students are allowed to wear sun protective clothing, including hats, while outdoors during the school day. Each school site will develop a policy indicating the type of sun protective hats that are permitted.

No grade of a student participating in a physical education class shall be adversely affected if the student does not wear standardized physical education apparel because of circumstances beyond the student's control. (Education Code 49066) All clothing worn during physical education shall meet reasonable safety standards.

The purpose of adopting these Student Dress Guidelines is not to infringe on any individual student's rights to freedom of expression, but rather to encourage students to dress appropriately and come to school properly prepared for participating in the educational process.

Gang-Related Apparel

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed as needed and updated as necessary.

Uniforms

In schools where a majority of parents respond and indicate on a survey that they desire to establish a voluntary school-wide uniform dress code, the principal, staff and the parents/guardians of the individual school site shall:

1. Jointly select the specific uniform to be worn. (Education Code 35183)
2. Describe the uniform parts and identify local vendors who sell those pieces of clothing. A description of the implementation of the voluntary uniform dress code will be submitted to the superintendent's designee including:
 - a. The process for parent notification
 - b. Positive procedures that will be used to encourage students to participate with the voluntary uniform dress code
3. A description of the uniform and a list of costs for each competitively priced item of clothing as provided by a variety of vendors will be sent to parents.
4. Parents will be notified that this is a voluntary uniform dress code and that students not participating shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardians so decide.

Parent Notification

The principal shall give parents/guardian at least six months notice before a school site implements a voluntary school uniform dress code. (Education Code 35183)

(G) Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School (EC 35294.2)

Gates to the school are opened at 7:45am each morning. There are designated gates for entry and exit of school. These same gates are also opened at 2:00pm for students to exit school. All Entry/Exit gates are monitored by staff at the beginning of the school day as well as at dismissal. At all other times visitors, volunteers, and students may only enter campus through the main office. Everyone must check in and check out at the front office. All staff sign in at the office upon entering school grounds.

(H) A Safe and Orderly School Environment Conducive to Learning (EC 35294.2)

Component:

Physical Environment

The Schools' Location and Physical Environment

McKinley Elementary School is located in the Redlands area of San Bernardino County that has an average crime rate and a 59% poverty level. The immediate area round the school includes a campus nestled within a neighborhood of homes. McKinley Elementary is considered a "walking school" with many of our students living within close proximity of the school. Present safety hazards include limited supervision and the support of a crossing guard on the corner of Olive Ave and Michigan Ave. In addition, since the school is surrounded by four high traffic streets (and does not have a parking lot), we are challenged with not having an official "drop-off area" for our students..

Description of School Grounds

The school site encompasses several acres. The grounds are grass, concrete and asphalt and includes basketball and volleyball courts, baseball diamonds and a lined track. There are several wings and/or clusters of classrooms including 17 classrooms 6 re-locatable classrooms. Other ancillary structures include the cafeteria and administration buildings.

During the school day, staff members and administrators shall provide campus supervision. Identified problem areas receive increased supervision to reduce discipline, crime, or other school safety concerns.

It shall be the practice of McKinley Elementary School to remove all graffiti from school property before pupils arrive to begin their school day. Other acts of vandalism are promptly addressed.

Maintenance of School Buildings/Classrooms

The school's physical facility is well maintained and generally looks neat and clean. The school was most recently painted in 2020 renovated during the year. District personnel periodically examine the school's physical facility and help eliminate obstacles to school safety. Additionally, health and fire department inspectors contribute to school safety.

Repairs are requested through an online work order system.

Internal Security Procedures

McKinley Elementary School has established procedures in the following areas: California Safe School Assessment (CSSA) reporting procedures, suspension and expulsion procedures, inventory system, and visitor check in/check out system via the RAPTOR program. Visitors are required to produce identification processed through the Megan's Law information system via RAPTOR, Visitors are required to wear a sticker upon entrance of the office and campus. Volunteers are required to go through Megan's Law, TB test, fingerprinting, and Board approval. The entire campus is fenced/gated. Discipline and Procedures have been created and implemented. Positive rewards and consequences for behaviors are distributed. District-wide lockdown procedures and updated School Safety Plan as well as meetings of the Safety Committee revise the plan and discuss ongoing safety concerns on campus...

McKinley Elementary School crime statistics reflect a total of 0 crimes reported during the 22-23 school year..

Keeping reportable crimes at a minimum requires constant vigilance. The following strategies will be utilized in achieving this goal
Maintenance of surveillance video cameras

Volunteer/Parent/Community member check in through RAPTOR in the office
Locking of gates and classrooms during the day,
Sprigeo Reporting system
SEE SOMETHING SENSE SOMETHING, SAY SOMETHING - 1-800-827-8724 (the CPS 24 hour hotline)
Communication with Redlands Police Department
Lock down drills, fire and earthquake drills

McKinley Elementary School maintains a copy of the district's sexual harassment policy in the main office/principal's office and the policy is available on request. The District's Sexual Harassment Policy contains dissemination plans, applicable definitions, reporting requirements, investigation procedures, enforcement regulations, and information related to suspension and/or expulsion for sexual harassment of or by pupils. Additionally, a notice summarizing this sexual harassment policy appears in the Parent & Student Handbook. The parent student handbook is distributed at the beginning of each school year to all parents and pupils.

To ensure the safety of pupils and staff, all visitors to the campus, except pupils of the school and staff members, shall register immediately upon entering any school building or grounds when school is in session. District employees, not assigned to McKinley Elementary School shall wear appropriate identification badges while on campus conducting business.

Discipline procedures shall focus on finding the cause of problems and working with all concerned to reach the proper, lawful solutions. The school's discipline plan begins at the classroom level. Teachers shall use a visible classroom management plan to communicate classroom rules, promote positive pupil conduct, and reduce unacceptable conduct. Appropriate consequences are administered based on the seriousness of the pupil's misbehavior.

Pupil conduct standards and consequences for McKinley Elementary School are specifically described in this Comprehensive Schools Safety Plan including: (a) the adopted school discipline rules and procedures, (b) District Disciplinary Guidelines, and (c) the adopted school-wide dress code.

Pupils may be suspended, transferred to another school, or recommended for expulsion or for certain acts. For specific student violations, a mandatory expulsion recommendation shall be submitted by the administration of McKinley Elementary School.

Site administrators contribute to a positive school climate, promote positive pupil behavior, and help reduce inappropriate conduct. The principal/designee uses available district and other appropriate records to inform teachers of each pupil identified under E.C. 49079.

Law enforcement is contacted and consulted to help maintain and to promote a safe and orderly school environment. McKinley Elementary School employees comply with all legal mandates, regulations, and reporting requirements for all instances of suspected child abuse.

If appropriate, additional internal security procedures affecting the integrity of the school facility include: Counseling for students, IST process, IEP process, 504's, Behavior support plans, Communication with parents/guardians, Documentation in Aeries, Support from RHS School Security Teams.

Community involvement is encouraged to help increase school safety.
neighborhood watch, after school organized and district approved sports clubs on campus until dusk, RAPTOR system, CPS hotline (1-800-827-8724)

Inventory System - Engraved ID, Security Storage

Most school-site equipment has a metal ID tag or a bar cod sticker adhered to its surface. These items are inventoried annually and there is an established accountability system. Office and classroom supplies are secured.

Element:

Goal 1:

Provide a safe and nurturing environment.

Opportunity for Improvement:

I. Areas of Pride and Desired Improvements

a. Pride

1. Keeping our school clean.
2. Character Counts Tree Rings and Flag Ceremony area.

b. Areas of Desired Improvement

1. Re-painting of the Flag Ceremony area.
- 2.

Objectives	Action Steps	Resources	Lead Person	Evaluation
II. Desired Change #1 Umbrellas over some of the picnic tables	a. Related Strategies and Activities 1. Request quote from appropriate equipment company 2. Work with RUSD Business Office, PTA and SSC to determine priority of spending and funding source.	b. Resources Required 1. M&O evaluation, possible labor 2. school budgets, PTA donation, Grant Money, fundraiser money e. Budget 1. \$6000.00 2.	c. Personnel Assignments 1. Principal, Custodial, Office Manager, SSC, and M&O personnel 2.	f. Evaluation criteria 1. Before and After Photographs d. Timeframe for completion 1. Completed by the End of school year 2024-25 2.
III. Desired Change #2 New umbrella to provide shade on the kindergarten play structure	a. Related Strategies and Activities 1. Request quote from appropriate playground equipment company (currently GAMETIME) 2. Work with RUSD Business Office and SSC to determine priority of spending and funding source.	b. Resources Required 1. M&O evaluation, possible labor 2. school budgets, PTA donation, Grant Money, fundraiser money e. Budget 1. \$26000.00 2.	c. Personnel Assignments 1. Principal, Custodial, Office Manager, SSC, and M&O personnel 2.	f. Evaluation criteria 1. 2. d. Timeframe for completion 1. January 2025 2.

Component:

School Climate

The School's Social Environment

Leadership at McKinley Elementary School is a shared process. A proactive role is assumed in all phases of the school operation. The current management team is committed to developing McKinley Elementary School toward excellence in the areas of academic and social behavior.

The principal sets a positive tone for the school, guides the staff and works closely with them on curriculum and school safety issues. The school site's organizational structure is open and flexible contributing to sensitivity concerning school safety issues and promoting a safe, orderly school environment conducive to learning.

Disaster Procedures, Routine and Emergency

A contingency plan for emergencies is contained in a handbook available to each staff member. The District's Emergency Response Plan - (ERP Plan) is listed at the last section of this plan. The plan is reviewed at the beginning of each school year. This plan also contains available district and outside agency resources, emergency disaster procedures and information on Standardized Emergency Management System (SEMS).

Classroom Organization and Structure

McKinley Elementary School teachers provide a varied learning environment in their classrooms. Teachers use a variety of teaching strategies including: explicit direction instruction, guided instruction, heterogeneous and homogeneous groupings, small group instruction, Google classroom, flexible seating, EL and GATE strategies, field trips, reading and math intervention, Extended Learning Opportunities, STEAM, and frequent use of technology.

The teachers at McKinley Elementary School are highly qualified, with many teachers holding advanced degrees. The staff is united in their desire to provide quality education for all pupils. Classrooms and teachers provide safe, orderly learning environment, enhance the experience of learning, and promote positive interactions amongst pupil and staff. Instructional time is maximized and disruptions are minimized.

The School's Cultural Environment

There is a high level of cohesiveness among the staff members at McKinley Elementary School. Cooperation and support between teachers and the administration is evident. Efforts are made by the administration and staff to show concern for all pupils.

All pupils are expected to behave in a manner that promotes safety and order. Pupils are encouraged to bring problems to the principal, assistant principal, counselor, teacher or other staff members. The everyday goal is for the staff to be proactive rather than reactive in all situations of concern.

The academic and behavior efforts of pupils are recognized and rewarded.

Cultural diversity is celebrated throughout the year by encouraging parents to attend PTA meetings and events,
Attend ELAC/DELAC meetings,
Participate in seminars led by McKinley staff,
Participating in cultural celebrations,
Participating in Black History Month lessons and activities,
Participating in class performances, classroom lessons, and assemblies.

Element:

Goal 2:

Improve safety with additional cameras on campus

Opportunity for Improvement:

I. Areas of Pride and Desired Improvements

a. Pride

1. Surveillance Cameras at entrances and viewing parts of the playground.
2. Designated areas for students to play and for specific activities.

b. Areas of Desired Improvement

1. Increase security and oversight on the weekends and after school
- 2.

Objectives	Action Steps	Resources	Lead Person	Evaluation
II. Desired Change #1 Add additional cameras on campus in strategic areas for improved security	a. Related Strategies and Activities 1. Work with the district safety coordinator to identify areas for camera placement. 2. Review plan with safety committee	b. Resources Required 1. Funding from General budget 2. e. Budget 1. \$10,000.00 approx. 2.	c. Personnel Assignments 1. Principal, Custodial, Office Manager, Technology Coordinator 2.	f. Evaluation criteria 1. Before and after pictures 2. d. Timeframe for completion 1. End of school year 2024-2025 2.

(I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5)

McKinley Elementary School Student Conduct Code

Procedures to Ensure a Safe and Orderly Environment

Rules and Procedures on School Discipline

Philosophy of Discipline

- Behavior expectations and the consequences for not meeting expectations must be clearly communicated to all students and their parents (in writing as well as verbally).
- The severity of consequences for violating behavior expectations increases with each incident of inappropriate behavior.
- The consequences for violating behavior expectations should be severe enough to discourage students from making poor behavior decisions.
- Expectations and consequences should permit students an opportunity to eliminate inappropriate behavior.

The structure of our behavior expectations (in the classroom as well as school wide) is meant to encourage students to be responsible. The first step in many instances of inappropriate behavior (those considered to be "minor") is a simple warning ("Your behavior is unacceptable. Please stop such behavior"). It is only when a student ignores such warnings and continues to choose to act irresponsibly that we involve parents and implement consequences.

Elements of a Good Discipline Program

1. The program is focused upon making the entire campus, especially the classroom, a safe, supportive and orderly environment for learning for students and staff.
2. Classroom authority is retained by the classroom teacher. (Administration's role is to support, not to replace.)
3. Rules and procedures are clearly understood by staff and students.
4. All staff members will acknowledge and take appropriate action on any minor or major infraction of the school rules.
5. Rules and procedures comply with State Law and District policies.
6. The program recognizes the responsibilities and the rights of students and staff.
7. Program is structured to keep students in class and engaged in the educational process.
8. Rules are enforced:
 - A. by all staff members at all times.
 - B. strictly, but not rigidly (beware of "automatics").
 - C. in substantial part by adult modeling.
 - D. using techniques that promote the growth of positive self-esteem.
 - E. as close to the source as is possible.
 - F. by keeping parents informed.
9. The discipline program is understood, endorsed, and supported by staff, parents, and students.

PRINCIPAL'S STATEMENT

Expectations in Developing & Maintaining Discipline

As Principal of our school, I will expect;

Each teacher to have a defined system of classroom management. A written description of this system, including representative examples of the progressive interventions you intend to employ, will be approved and filed by me. Whenever possible and appropriate, teachers are encouraged to use standards and systems that are consistent with other village/departments members.

You can expect

Each administrator to assist and support you in every reasonable way in developing, implementing, and refining that system as needed.

I will expect

That when you refer a student for discipline:

1. The student has been made fully aware of classroom and school rules and knows what rules he/she has violated.
2. Teachers will discuss any continuing behavior problems and schedule a team conference with the student and parents when appropriate.
3. That information will be provided on the referral regarding previous actions you have taken regarding this specific issue.
4. You have exhausted the interventions at your disposal (i.e., you have done everything you can do) and you have followed the guidelines established by the administration and staff on what constitutes an appropriate behavior referral.
5. The behavior was so serious or so blatant as to make immediate removal from the classroom necessary.
6. The written referral will be explicit in stating the offense(s).
7. You will send the student out of class with a referral only if his/her continued presence in the class would disrupt or prevent teaching and/or learning.
8. If necessary, the referral will be delivered to the office at a time convenient to the staff member so that the issue may be handled most efficiently, causing a minimum of lost class time.

You can expect

1. Each administrator to support your position in every reasonable way.
2. A response time on your referral of one, or at most, two days.
3. The availability of an administrator to discuss unresolved referrals after school on any given day.
4. That the administrator will exercise independent judgment regarding the disposition of referrals.

I will expect

1. That each teacher will go to the doorway of his/her classroom after each class period as often as possible and assume control of student behavior in the corridor.
2. That each staff member will hold students accountable for their behavior on the school grounds at all times.

You can expect

1. Administrator support, investigation, and follow-through as indicated.
2. A response to referrals from incidents outside the classroom to be the same as to those within.

WHAT TO DO WHEN PROBLEMS APPEAR

Both behavioral and academic problems are present in some of our students. Teachers often ask for guidelines for dealing with these problems. Here they are:

1. Talk to the administrator.
2. Call parents at first sign of concern. Inform the parents of your observations, ask for their ideas, assistance, and support in serving the student. Keep a log of your calls.
3. If possible, talk privately to the student about your concerns.
4. Behavior concerns—look through students' CUM file. Any official suspensions will be in file, also look for teacher comments on report cards. Look for patterns of behavior. We use In-House Suspension whenever possible, as it is preferable to having students at home unattended—and it saves the district money. Serious infractions (fighting, threats, etc.) do result in official suspension. Unresponsive students can be moved to other schools or expelled.
5. Referrals—please remember if you write a student referral, you are required to call the parents. You are writing the referral and can answer the parents' questions firsthand. Administrators will also call parents, but we can only give secondhand information on the incident.
6. Academic Concerns—again, look through student CUM. This will contain test scores, report cards, and a student history. You may want to schedule a Student Study Team (SST). This will involve a meeting with the student, parents, administrators, students' teachers, and perhaps the psychologist.

Conduct Code Procedures

(K) Hate Crime Reporting Procedures and Policies

Policy 5145.3: Nondiscrimination/Harassment

The Governing Board desires to provide a safe school environment that allows all students equal access to and opportunities in the district's academic, extracurricular, and other educational support programs, services, and activities. The Board prohibits unlawful discrimination in any education program or activity, at or on the way to and from any district school or school activity, related to school activity or school attendance occurring within a district school, and which occurs 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 includes 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 or parental status, pregnancy, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression or genetic information; or association with a person or group with one or more of these actual or perceived characteristics.

Title IX of the Education Amendments of 1972 is a source of the obligation not to discriminate on the basis of sex, including gender, pregnancy and related conditions, sex stereotypes, gender identity, transgender status, sexual orientation, and parental status. Complaints alleging unlawful discrimination on the basis of race, color, national origin, sex, age, or disability or for retaliation for the purpose of interfering with any right or privilege protected by the laws enforced by the Office for Civil Rights can be filed directly with the Assistant Secretary for the Office for Civil Rights at OCR@ed.gov or <https://ocrcas.ed.gov>.

(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 constituting unlawful discrimination or harassment 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 one of the categories listed above. Unlawful discrimination also occurs when prohibited conduct is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect or purpose of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely or negatively affects a student's educational opportunities, or academic performance.

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. In addition, the Superintendent or designee shall post the district's policies prohibiting discrimination, harassment, intimidation, and bullying and other required information on the district's web site in a manner that is easily accessible to parents/guardians and students, in accordance with law and the accompanying administrative regulation.

The Superintendent or designee shall provide training and/or information on the scope and use of the policy and complaint procedures and take other measures designed to increase the school community's understanding of the requirements of law related to discrimination. The Superintendent or designee shall regularly review the implementation of the district's nondiscrimination policies and practices and, as necessary, shall take action to remove any identified barrier to student access to or participation in the district's educational program. The Superintendent or designee shall report the findings and recommendations to the Board after each review.

(cf. 1312.3 - Uniform Complaint Procedures) (cf. 1330 - Use of Facilities) (cf. 4131/4231/4331 - Staff Development)
(cf. 6145 - Extracurricular and Cocurricular Activities) (cf. 6145.2 - Athletic Competition)
(cf. 6164.2 - Guidance/Counseling Services)

Regardless of whether a complainant complies with the writing, timeline, and/or other formal filing requirements, all complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, shall be investigated and prompt action taken to stop the discrimination, prevent recurrence, and address any continuing effect on students.

Students who engage in unlawful discrimination, including discriminatory harassment, intimidation, bullying, or retaliation, 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. School personnel shall take immediate steps to intervene, when safe to do so, whenever site personnel witness an act of discrimination, harassment, intimidation, or bullying. Any employee who permits or engages in prohibited discrimination, including discriminatory harassment, intimidation, bullying, or retaliation, shall be subject to disciplinary action, up to and including dismissal.

(cf. 4118 - 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. The record shall be maintained for a minimum of ten years.

The record shall be maintained in a centralized, electronic tracking and response system (centralized system) for all oral and written complaints of sex discrimination, and sexual harassment, assault, intimidation, bullying or abuse, and any retaliation related to the submission of such reports and complaints, including those submitted anonymously.

The centralized system shall contain all documents provided or generated during an investigation, resolution, or appeal.
(cf. 3580 - District Records)

Regulation 5145.3: Nondiscrimination/Harassment

The district designates the Assistant Superintendent of Compliance as the employee 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 Assistant Superintendent of Compliance shall also serve as the compliance officer 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 and any complaints of retaliation for reporting, complaining, or participating in the grievance process related such allegations. The Assistant Superintendent of Compliance may be contacted at: (Education Code 234.1; 5 CCR 4621)

Dr. Rudy Wilson
Assistant Superintendent of Compliance, Redlands Unified School District
20 W. Lugonia Avenue Redlands, CA 92374
(909) 307-5300
compliance@redlands.k12.ca.us

(cf. 1312.1 - Complaints Concerning District Employees) (cf. 1312.3 - Uniform Complaint Procedures) (cf. 5145.7 - Sexual

Harassment)

(cf. 5145.71 - Title IX Sexual Harassment Complaint Procedures)

Measures to Prevent Discrimination

To prevent unlawful discrimination, including discriminating 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 website in a manner that is easily accessible to parents/guardians and students (Education Code 234.6)

(cf. 0410 - Nondiscrimination in District Programs and Activities) (cf. 1113 - District and School Websites) (cf. 1114 - District-Sponsored Social Media) (cf. 5131.2 - Bullying)
(cf. 5145.9 - Hate-Motivated Behavior)

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 website 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 website, 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 websites 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:

(1) An explanation of the statute of limitations within which a complaint must be filed after an alleged incident of discrimination has occurred and how a complaint may be filed beyond the statute of limitations

(2) An explanation of how the complaint will be investigated and how the complainant may further pursue the complaint, including web links to this information on the OCR's website

(3) A web link to the OCR complaints form and the contact information for the office, including the phone number and email address for the office

d. A link to the Title IX information included on the California Department of Education's (CDE) website

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, including transgender and gender-nonconforming students. The notice shall inform students and parents/guardians that they may request to meet with the Assistant Superintendent of Compliance to determine how best to accommodate or resolve concerns that may arise from the district's implementation of its nondiscrimination policies. The notice shall also inform all students and parents/guardians that, to the extent possible, the district will address any individual student's interests and concerns in private.

(cf. 5145.6 - Parental Notifications)

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, including transgender and gender-nonconforming students.

(cf. 1240 - Volunteer Assistance)

(cf. 4131/4231/4331 - Staff Development)

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)

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

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 (cf. 5131.5 - Vandalism and Graffiti)
2. Providing training to students, staff, and parents/guardians about how to recognize unlawful discrimination, how to report it or file a complaint, and how to respond
3. Disseminating and/or summarizing the district's policy and regulation regarding unlawful discrimination
4. Consistent with laws regarding the confidentiality of student and personnel records, communicating to students, parents/guardians, and the community the school's response plan to unlawful discrimination or harassment

(cf. 4112.6/4212.6/4312.6 - Personnel Files)

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information) (cf. 5125 - Student Records)

5. Taking appropriate disciplinary action against students, employees, and anyone determined to have engaged in wrongdoing in violation of district policy, including any student who is found to have filed a complaint of discrimination that he/she knew was not true

(cf. 4118/4218 - Dismissal/Suspension/Disciplinary Action) (cf. 5144 - Discipline) (cf. 5144.1 - Suspension and Expulsion/Due Process) (cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities)) (cf. 6159.4 - Behavioral Interventions for Special Education Students)

Process for Initiating and Responding to Complaints

Any student who feels that he/she has been subjected to unlawful discrimination described above or in district policy is strongly encouraged to immediately contact the Assistant Superintendent of Compliance, the principal, or any other staff member. In addition, any student who observes any such incident is strongly encouraged to report the incident to the Assistant Superintendent of Compliance 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 Assistant Superintendent of Compliance and the principal, within one 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 Assistant Superintendent of Compliance, the principal or Assistant Superintendent of Compliance 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 Assistant Superintendent of Compliance 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, Assistant Superintendent of Compliance, or any other person to whom a report would ordinarily be made or complaint filed shall instead be made to or filed with

the Superintendent or designee who shall determine how the complaint will be investigated.

(cf. 5141.4 - Child Abuse Prevention and Reporting) Transgender and Gender-Nonconforming Students

Gender identity of a student means the student's gender-related identity, appearance, or behavior, as determined from the student's internal sense 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 or not 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.

Transgender student means a student whose gender identity is different from the gender assigned at birth.

Gender-nonconforming student means a student whose gender expression differs from stereotypical expectations.

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 transgender status to individuals who do not have a legitimate need for the information, without the student's consent or when doing so would place the student at risk of physical, emotional, or psychological harm
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 transgender and gender- nonconforming students.

Examples of bases for complaints include, but are not limited to, the above list, as well as improper rejection by the district of a student's asserted gender identity, denial of access to facilities that correspond with a student's gender identity, improper disclosure of a student's transgender status, discriminatory enforcement of a dress code, and other instances of gender-based harassment.

To ensure that transgender and gender-nonconforming students are afforded the same rights, benefits, and protections provided to all students by law and Board policy, the district shall address each situation on a case-by- case basis, in accordance with the following guidelines:

1. Right to privacy: A student's transgender or gender-nonconforming status is the student's private information and the district will only disclose the information to others with the student's prior written consent, except when the disclosure is otherwise required by law or when the district has compelling evidence that disclosure is necessary to preserve the student's physical or mental well-being. In any case, the district shall only allow disclosure of a student's personally identifiable information to employees with a legitimate educational interest as determined by the district pursuant to 34 CFR 99.31. Any district employee to whom a student's transgender or gender- nonconforming status is disclosed shall keep the student's information confidential. When disclosure of a student's gender identity is made to a district employee by a student, the employee shall seek the student's permission to notify the Assistant Superintendent of Compliance . If the student refuses to give permission, the employee shall keep the student's information confidential, unless he/she is required to disclose or report the student's information pursuant to this administrative regulation, and shall inform the student that honoring the student's request may limit the district's ability to meet the student's needs related to the student's status as a transgender or gender-nonconforming student. If the student permits the employee to notify the Assistant Superintendent of Compliance , the employee shall do so within three school days.

As appropriate, given the student's need for support, the Assistant Superintendent of Compliance may discuss with the student any need to disclose the student's 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.

(cf. 1340 - Access to District Records) (cf. 3580 - District Records)

2. Determining a Student's Gender Identity: The Assistant Superintendent of Compliance 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 Assistant Superintendent of Compliance 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 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 Assistant Superintendent of Compliance shall identify specific school site employee(s) to whom the student may report any problem related to the student's status as a transgender or gender-nonconforming individual, so that prompt action can be taken to address it. Alternatively, if appropriate and desired by the student, the school may form a support team for the student that will meet periodically to assess whether the arrangements for the student are meeting his/her educational needs and providing equal access to programs and activities, educate appropriate staff about the student's transition, and serve as a resource to the student to better protect the student from gender-based discrimination.

4. Accessibility to Sex-segregated Facilities, Programs, and Activities: When the district maintains sex- segregated facilities, such as restrooms and locker rooms, or offers sex-segregated programs and activities, such as physical education classes, intramural sports, and interscholastic athletic programs, students shall be permitted to access facilities and participate in programs and activities consistent with their gender identity. To address any student's privacy concerns in using sex-segregated facilities, the district shall offer available options such as a gender-neutral or single-use restroom or changing area, a bathroom stall with a door, an area in the locker room separated by a curtain or screen, 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 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.

(cf. 6145 - Extracurricular and Co-curricular Activities) (cf. 6145.2 - Athletic Competition) (cf. 6153 - School-Sponsored Trips)

(cf. 7110 - Facilities Master Plan)

5. Student Records: A student's legal name or gender as entered on the mandatory student record required pursuant to 5 CCR 432 shall only be changed with proper documentation. When a student presents government- issued documentation of a name and/or gender change or submits a request for a name and/or gender change

through the process specified in Education Code 49070, the district shall update the student's records. (Education Code 49062.5, 49070)

(cf. 5125 - Student Records)

(cf. 5125.1 - Release of Directory Information) (cf. 5125.3 - Challenging Student Records)

6. Names and Pronouns: If a student so chooses, district personnel shall be required to address the student by a name and the pronouns consistent with 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.

(cf. 5132 – Student Dress Guidelines)

(J) Procedures to Prepare for Active Shooters

A "Shelter in Place Lockdown" will be called and 911 will be called.

Upon recognizing the danger, as soon as it is safe to do so, staff or others must alert responders by contacting 911 with as clear and accurate information as possible.

There are 3 things people need to be prepared to do: RUN, HIDE, or FIGHT.

Run

If it is safe to do so for yourself and those in your care, the first course of action that should be taken is to run out of the building and far away until you are in a safe location.

Students and staff should be trained to Leave personal belongings behind; Visualize possible escape routes, including physically accessible routes for students and staff with disabilities as well as persons with access and functional needs; Take others with them, but not to stay behind because others will not go; all 911 when safe to do so; and Let a responsible adult know where they are.

Hide

If running is not a safe option, hide in as safe a place as possible. Students and staff should be trained to hide in a location where the walls might be thicker and have fewer windows. In addition: Lock the doors; Barricade the doors with heavy furniture; Close and lock windows and close blinds or cover windows; Turn off lights; Silence all electronic devices; Remain silent; Hide along the wall closest to the exit but out of the view from the hallway (allowing for an ambush of the shooter and for possible escape if the shooter enters the room); Use strategies to silently communicate with first responders if possible, for example, in rooms with exterior windows make signs to silently signal law enforcement officers and emergency responders to indicate the status of the room's occupants; and Remain in place until given an all clear by identifiable law enforcement officers.

Fight

If neither running nor hiding is a safe option, as a last resort when confronted by the shooter, adults in immediate danger should consider trying to disrupt or incapacitate the shooter by using aggressive force and items in their environment, such as fire extinguishers, and chairs.

Procedures for Preventing Acts of Bullying and Cyber-bullying

Regulation 5131.2: Bullying

Definitions

Bullying is an unwanted, aggressive behavior that involves a real or perceived imbalance of power between individuals with the intent to cause emotional or physical harm. Bullying can be physically, verbally, or socially/relationally harmful and involves repetition or potential repetition of a deliberate act. Bullying can involve intimidation and coercion.

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. Cyberbullying can be harmful to the online reputations of everyone involved, including the person who is cyberbullying and those participating in it.

Examples of the types of conduct that may constitute bullying and are prohibited by the district include, but are not limited to:

1. Physical bullying that inflicts harm upon a person's body or possessions, such as hitting, kicking, pinching, spitting, tripping, pushing, taking or breaking someone's possessions, or making cruel or rude hand gestures
2. Verbal bullying that includes saying or writing hurtful things, such as teasing, name-calling, inappropriate sexual comments, taunting, or threats to cause harm
3. Social/relational bullying that harms a person's reputation or relationships, such as leaving a person out of an activity on purpose, influencing others not to be friends with someone, spreading rumors, or embarrassing someone in public
4. Cyberbullying, such as sending demeaning or hateful text messages or emails, sending or spreading online rumors by email or by posting them on social networking sites or apps, posting embarrassing or explicit photos or videos online or on apps, or creating fake profiles can also be considered cyberbullying.

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

2. Providing to students, through student handbooks and other age-appropriate means, information about district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for engaging in bullying
3. Encouraging students to notify school staff when they are being bullied or when they suspect that another student is being bullied, and providing means by which students may report threats or incidents confidentially and anonymously
4. Annually notifying district employees that, pursuant to Education Code 234.1, any school staff who witnesses an act of bullying against a student has a responsibility to immediately intervene to stop the incident when it is safe to do so

Staff Development

The Superintendent or designee shall make the California Department of Education's online training module on the dynamics of bullying and cyberbullying, which includes the identification of bullying and cyberbullying and the implementation of strategies to address bullying, available annually to all certificated staff and to other employees who have regular interaction with students. (Education Code 32283.5)

The Superintendent or designee shall provide training to teachers and other school staff to raise their awareness about the legal obligation of the district and its employees to prevent discrimination, harassment, intimidation, and

bullying of district students. Such training shall be designed to provide staff with the skills to:

1. Discuss the diversity of the student body and school community, including their varying immigration experiences
2. Discuss bullying prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims
3. Identify the signs of bullying or harassing behavior
4. Take immediate corrective action when bullying is observed
5. Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior

Student Instruction

As appropriate, the district shall provide students with instruction, in the classroom or other educational settings, that promotes social-emotional learning, effective communication and conflict resolution skills, character/values education, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.

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.

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 or designee 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.

When appropriate based on the severity or pervasiveness of the bullying, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators and may contact law enforcement.

The Superintendent, principal, or principal's designee may refer a victim, witness, perpetrator, or other student affected by an act of bullying to a school counselor, school psychologist, social worker, child welfare attendance personnel, school nurse, or other school support service personnel for case management, counseling, and/or participation in a restorative justice program as appropriate. (Education Code 48900.9)

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.

Safety Plan Review, Evaluation and Amendment Procedures

The safety plan is reviewed yearly for evaluation and amendments.

Types of Emergencies & Specific Procedures

Earthquake

All students and personnel are trained to seek cover in the event of an earthquake.

Students and staff will only evacuate buildings if the building is deemed unsafe or the evacuation bells are ringing.

Fire in Surrounding Area

In the event of a fire near the school, but not on school grounds, students and staff will be moved to an area on campus that is farthest from flame. This may be inside or outside of the buildings, depending on the situation. In the event that the fire is increasing, parents will be called to pick up students from the campus.

Fire on School Grounds

The Evacuation bells will be rung and 911 will be called in the event that there is a fire on campus. All students and staff will be evacuated to a safe place on campus that is furthest from flame. Students may be released to parents if the situation warrants.

Pandemic

Blood Borne Pathogen Incident Reporting Form and Exposure Control Plan

Policy 5141.22: Infectious Diseases

The Governing Board desires to protect students from risks posed by exposure to infectious diseases while providing an appropriate education for all students.

The Superintendent or designee shall determine whether to admit a student with an infectious disease, and shall exclude students only in accordance with law. In making this determination, he/she shall consult the student's parents/guardians, the student's physician and/or the county health department, in accordance with law and consistent with confidentiality provisions. Because bloodborne pathogens such as hepatitis B virus, hepatitis C virus and human immunodeficiency virus (HIV) are not casually transmitted, the sole presence of bloodborne pathogens is not sufficient reason to exclude students from attending school.

cf. 5112.2 - Exclusions from Attendance)

(cf. 5141.26 - Tuberculosis Testing)

(cf. 5141.3 - Health Examinations)

(cf. 6158 - Independent Study)

(cf. 6159 -Individualized Education Program)

(cf. 6183 - Home/Hospital Instruction)

Parents/guardians are encouraged to inform the Superintendent or designee if their child has an infectious disease so that school staff may work cooperatively with the student's parents/guardians to minimize the child's exposure to other diseases in the school setting. The Superintendent or designee shall ensure that student confidentiality rights are strictly observed in accordance with law. No district employee shall release medical information, including knowledge of a bloodborne pathogen infection, without written consent from the parent/guardian or adult student. Such information shall be shared only with those persons specifically named in the written permission.

(cf. 5125 - Student Records)

(cf. 5022 -Student and Family Privacy Rights)

The Board requires students and staff to routinely observe universal precautions to prevent exposure to bloodborne pathogens and to prevent the spread of all infectious disease.

cf. 4119.42/4219.42/4319.42 -Exposure Control Plan for Bloodborne Pathogens)
(cf. 4119.43/4219.43/4319.43 - Universal Precautions)
(cf. 5141.23 - Infectious Disease Prevention)

The Superintendent or designee shall ensure that the district's health education program provides information about the nature of bloodborne pathogens and their transmission.

(cf. 5141.6 - Student Health and Social Services)
(cf. 6142.2 - Sexual Health and HIV/AIDS Prevention Instruction)
(cf. 6142.8 - Comprehensive Health Education)

Blood Borne Pathogens - Safety Practices

Procedures and Regulations

1. General

1.1 While recognizing that both students and employees diagnosed with an infectious blood borne disease are entitled to a confidential relationship between themselves, the medical community and/or other agencies, the Board of School Trustees encourages these individuals to meet with the School Principal and/or Superintendent of Schools to discuss their disease and immediate and future needs.

1.2 Assessment

2. Students:

2.1. The Superintendent (or designate) will be informed, by the school principal as soon as is known, of any student infected with an infectious blood borne disease.

2.2. A Risk Assessment will be conducted using a team approach including the personal physician, public health personnel, the parent or guardian, and school district personnel as appropriate and will make recommendations about the type of educational and care setting based on the following:

- a. Behavior, neurological development and physical condition of the child;
- b. Type of interaction expected with others.
- c. What the potential is for exposure
- d. Areas for potential for exposure
- e. How exposure may happen
- f. Who needs to know?
- g. What will happen if there is a risk of exposure?

2.3. The team will consider the risk to others in the workplace, whether or not the individual is healthy enough to continue to attend school, and what precautions should be taken to ensure the safety and health of others.

a. The identity of infected students will remain confidential and restricted to those who need to know or are required to be informed.

2.4. Decisions on attendance at school are dependent on the circumstances of each individual case. Regular evaluation of the appropriateness of attendance will be conducted.

2.5. The Board will be notified immediately when the team considers the health condition of a student to be a danger to the immediate health and welfare of a school, its students or employees of the Board.

a. Upon being notified of the team's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

3. Employees

3.1. The Superintendent will be informed, by district staff as soon as is known, of any employee infected with an infectious blood borne disease.

3.2. Employees with an infectious blood borne disease, who are able to carry out the essential duties of their jobs in a satisfactory manner without posing a health or safety risk to themselves or others, will be entitled to continue their work.

3.3. Decisions regarding potential health or safety hazards will be made on a case-by-case basis in consultation with the employee, the personal physician and district personnel as appropriate.

3.4. The identity of infected employees will remain confidential and restricted to those who need to know or are required to be informed.

3.5. The Board will be notified immediately if the Superintendent considers the health condition of an employee to be a danger to the immediate health and welfare of a school, its students or other employees of the Board.

a. Upon being notified of the Superintendent's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

4. Hygienic Safety Practices

4.1. All employees will follow "Universal Infection Control Precautions" by assuming that blood and other body fluids from all individuals are potentially infectious. These precautions include:

- a. Routinely using gloves when anticipating contact with blood
- b. Immediately washing hands and other skin surfaces after removal of gloves and/or contact with blood

4.2. Schools will be provided with appropriate protective equipment including disposable waterproof gloves (natural rubber latex, neoprene, nitrile, or vinyl), tongs or pliers and proper sharps containers.

4.3. Schools' medical room mattresses will be either vinyl-coated beds or cloth mattress with a protective vinyl (plastic) covering so that they can be cleaned as needed with a bleach solution.

4.4. Blankets can be cleaned as needed by forwarding them, in a clearly labeled plastic bag, to the Assistant Supervisor Operations at the Facilities Office.

5. Universal Precautions

5.1. Universal Precautions to prevent transmission of blood-borne disease will be followed. Universal Precautions is the term for infection control measures endorsed by the Canadian Centre for Occupational Health and Safety for workers who might come into contact with blood and other body fluids. In summary they include:

- a. Wash hands for 30 seconds after contact with blood and other body fluids contaminated with blood.
- b. Wear disposable latex gloves when you encounter blood, body fluids, or when cleaning cuts, scrapes or wounds. Wash your hands as soon as you remove your gloves. Dispose gloves in a plastic bag.
- c. Use disposable absorbent material like paper towels to stop bleeding.
- d. Discard bloodstained material in a sealed plastic bag and deposit in the garbage. Label as containing blood-tainted material.
- e. Cover cuts or scrapes with a bandage until healed.
- f. Immediately protect staff and students from coming in contact with blood-soiled surfaces. The area must be disinfected with a fresh solution of one part bleach and nine-parts water (10% bleach solution).

Mops or brushes used for cleaning should be soaked in a bleach solution for 20 minutes.

(Note: The custodial department will provide each school with the product for dissolving in water to provide the bleach solution.)

6. Identification of Risks of Occupational Exposure

6.1. In accordance with the Occupational Health and Safety Regulations (section 6.35), the district's Health & Safety Coordinator will develop and maintain a list of positions and/or tasks and procedures where there is a potential for occupational exposure to a blood borne pathogen.

6.2. Employees who have, or may have, occupational exposure to the hepatitis B virus, will upon request, receive a hepatitis B vaccination (section 6.39, OH&S Regs).

6.3. Employees who may have been exposed to a blood borne pathogen in an exposure incident will be advised to immediately seek medical attention

Blood Borne Pathogen Incident Reporting Form and Exposure Control Plan

Policy 5141.22: Infectious Diseases

The Governing Board desires to protect students from risks posed by exposure to infectious diseases while providing an appropriate education for all students.

The Superintendent or designee shall determine whether to admit a student with an infectious disease, and shall exclude students only in accordance with law. In making this determination, he/she shall consult the student's parents/guardians, the student's physician and/or the county health department, in accordance with law and consistent with confidentiality provisions. Because bloodborne pathogens such as hepatitis B virus, hepatitis C virus and human immunodeficiency virus (HIV) are not casually transmitted, the sole presence of bloodborne pathogens is not sufficient reason to exclude students from attending school.

(cf. 5112.2 - Exclusions from Attendance)
(cf. 5141.26 - Tuberculosis Testing)
(cf. 5141.3 - Health Examinations)
(cf. 6158 - Independent Study)
(cf. 6159 - Individualized Education Program)
(cf. 6183 - Home/Hospital Instruction)

Parents/guardians are encouraged to inform the Superintendent or designee if their child has an infectious disease so that school staff may work cooperatively with the student's parents/guardians to minimize the child's exposure to other diseases in the school setting. The Superintendent or designee shall ensure that student confidentiality rights are strictly observed in accordance with law. No district employee shall release medical information, including knowledge of a bloodborne pathogen infection, without written consent from the parent/guardian or adult student. Such information shall be shared only with those persons specifically named in the written permission.

(cf. 5125 - Student Records)
(cf. 5022 - Student and Family Privacy Rights)

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(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)
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Comprehensive School Safety Plan

**2024-2025
School Year**

School: Mentone Elementary School
CDS Code: 36-67843-6036560
District: Redlands Unified School District
Address: 1320 Crafton Avenue
Mentone, CA 92359
Date of Adoption: November 14, 2023
Date of Update: September 17, 2024
Date of Review:
- with Staff 9/12/2024 & 9/23/24
- with Law Enforcement
- with Fire Authority

Approved by:

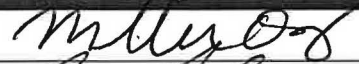

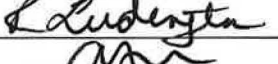
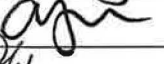
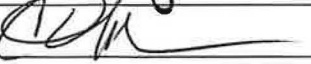
Name	Title	Signature	Date
Dr. Mollee O'day	Principal		9-17-24
Todd Flowers	Assistant Principal		9-17-24
Becky Ludington	Teacher		9/17/24
Angelina Aguilar	Parent of Mentone Student		9/17/24
Crystal Mayo	Office Manager		9/17/24

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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 Mentone Elementary School Office.

Safety Plan Vision

Mentone Elementary School is committed to provide a safe learning environment that supports academic achievement. The Mentone school community will interact in a positive and respectful manner following our ABC's; Accept responsibility, Be respectful and Choose kindness.

A safe school is a place where learning can occur in a welcoming environment free of intimidation, violence and/or fear. At Mentone, we strive to provide a safe and conducive learning environment so all stakeholders will accomplish the goals of high academic achievement and being a positive citizen. Mentone has developed this Comprehensive School Safety Plan (CSSP) to ensure this safe learning environment and site-based emergency preparedness for all students, faculty, and staff. The CSSP is intended to ensure compliance with State and Federal school safety program regulations. This CSSP acts as the umbrella, which encompasses all staff, property, and actions during an emergency situation. Its purpose shall be to inform staff, students, parent/guardians, and the community of actions which will be taken during emergency situations. This CSSP establishes the standards for all emergency operations school-wide. Mentone Elementary is required to regularly practice school-level drills to familiarize students and staff with proper procedures in the event of a disaster. This CSSP shall be reviewed annually by the School Site Council and updated as needed. This Plan was last updated in September of 2024. Plan was shared with staff, safety committee, and approved by School Site Council on September 24, 2024.

Components of the Comprehensive School Safety Plan (EC 32281)

Mentone Elementary School Safety Committee

Dr. Mollee O'Day (Principal), Todd Flowers (Assistant Principal), Crystal Mayo (Office Manager), Jodi Jeffers (Teacher), Becky Ludington (Teacher), Angelina Aguilar (Parent), Daniel Ybarra (Grandparent), Jen Yaghoubian (Counselor), and Amynda Reyes.

Assessment of School Safety

School Safety data sources include: suspension and expulsion reports, School-Wide Information System (SWIS) reports, discipline referrals, campus supervisor schedules, monthly campus safety inspections. The safety of the staff and students is a priority at Mentone Elementary School. The following indicates elements that are going well at the site: Suspensions have dropped significantly. Evacuation, earthquake, fire and lockdown drills are conducted at timelines as directed by the District. The ingress and egress procedures at the site are consistently monitored by our video surveillance. The closed campus and fencing have secured the school. The new Raptor system ensures that all of our visitors pass Megan's Law. The front office has an efficient system for anyone picking up a student during the school day; identification and verification of person as indicated on student Aeries profile. The Safety Committee meets on timelines as directed by the District. The principal conducts weekly messages to address PBIS expectations. A member of the administrative team does random safety checks EVERY day on EVERY room. The custodian and the principal conduct a monthly safety inspection and submit reports to the District Office. The custodial team and assistant principal meet monthly to discuss concerns around the campus. Any safety issues are reported by staff to administration as they are noticed and work orders are submitted to Maintenance and Operations. These safety issues are put into the work order system and addressed as soon as possible. Classroom doors are locked at all times. All exterior gates to the campus are locked at all times. Our z-Space lab and library are alarmed and connected to our Sheriff's Dept. Our video surveillance system monitors the campus at all times.

Strategies and Programs to Provide and Maintain a High Level of Safety (EC 32281(a)1, items A-J)

It is a priority of Mentone Elementary School that every student who attends our school will be provided with a safe and nurturing environment to learn. In order to ensure that students engage in safe behavior, the school has instituted Positive Behavior Interventions and Supports (PBIS). Our ABC's (Accept responsibility, Be respectful, and Choose kindness) provide for a safe and caring learning environment for our students. All visitors are required to check in through the front office using the Raptor System, and wear a visitor badge. Mentone Staff are required to wear school identification badges. Students traveling the halls must have a pass in their possession at all times. Adhering to the District mandated schedule for drills (lockdown, earthquake, and fire) provide ample opportunities to review safety and emergency procedures with students and staff. Classrooms and building access remains locked at all times. Mentone is a closed campus. Perimeter gates are closed and locked during school hours. Parents and visitors enter through the front office and are required to sign in/out. The CSSP is available to all employees. The Safety Committee meets at guidelines set by the District. Security has been increased by making the campus a closed campus with gate enclosures. The staff is trained each school year on child abuse reporting procedure and given monthly micro-trainings on the District's Policies on student boundaries. The staff and students will also be trained on Title IX guidelines.

(A) Child Abuse Reporting Procedures (EC 35294.2 [a] [2]; PC 11166)

Regulation 5141.4: Child Abuse Prevention And Reporting Status: ADOPTED

Original Adopted Date: 06/27/1995 | Last Revised Date: 10/11/2022 | Last Reviewed Date: 10/11/2022 see more 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. 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
3. Sexual abuse of a child, including sexual assault or sexual exploitation, as defined in Penal Code 11165.1
4. Neglect of a child as defined in Penal Code 11165.2
5. Unlawful corporal punishment or injury as defined in Penal Code 11165.4

Child abuse or neglect does not include:

1. A mutual affray between minors (Penal Code 11165.6)
2. An injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of employment (Penal Code 11165.5, 11165.6)
3. An injury resulting from the exercise by a teacher, vice principal, principal, or other certificated employee of the same degree of physical control over a student that a parent/guardian would be legally privileged to exercise, not exceeding the amount of physical control reasonably necessary to maintain order, protect property, protect the health and safety of students, or maintain proper and appropriate conditions conducive to learning (Education Code 44807)
4. An injury caused by a school employee's use of force that is reasonable and necessary to quell a disturbance threatening physical injury to persons or damage to property, for purposes of self-defense, or to obtain weapons or other dangerous objects within the control of a student (Education Code 49001)
5. Physical pain or discomfort caused by athletic competition or other such recreational activity voluntarily engaged in by a student (Education Code 49001)
6. Homelessness or classification as an unaccompanied minor (Penal Code 11165.15)

Mandated Reporters include, but are not limited to, teachers; instructional aides; teacher's aides or assistants; classified employees; certificated pupil personnel employees; administrative officers or supervisors of child attendance; athletic coaches, administrators, and directors; licensed nurses or health care providers, licensees, administrators, and employees of a licensed child day care facility; Head Start program teachers; district police or security officers; and administrators, presenters, and counselors of a child abuse prevention program. (Penal Code 11165.7)

Reasonable Suspicion means that it is objectively reasonable for a person to entertain a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his/her training and experience, to suspect child abuse or neglect. However, reasonable suspicion does not require certainty that child abuse or neglect has occurred, nor does it require a specific medical indication of child abuse or neglect. (Penal Code 11166)

Reportable Offenses

A mandated reporter shall make a report using the procedures provided below whenever, 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 and Liability

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 made and signed by that person. Any person who knows that the person designated to report failed to make the report shall thereafter make the report. (Penal Code 11166)

The duty to report child abuse is an individual duty and no supervisor or administrator may impede or inhibit a mandated reporter from making a report. (Penal Code 11166)

Any person not identified as a mandated reporter who has knowledge of or observes a child whom the person knows or reasonably suspects has been a victim of child abuse or neglect may report the known or suspected instance of child abuse or neglect to the appropriate agency. (Penal Code 11166)

Reporting Procedures

1. Initial Telephone Report

Immediately or as soon as practicable after knowing or observing suspected child abuse or neglect, a mandated reporter shall make an initial report by telephone to any police department (excluding a school district police/security department), sheriff's department, county probation department if designated by the county to receive such reports, or county welfare department. (Penal Code 11165.9, 11166)

Such reports shall be made to the following agency:

Redlands Police Department: (909) 798-7681

or

CPS 24-Hr Hotline: (800) 827-8724

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 name(s), address(es), and telephone number(s) of the child's parent(s)/guardian(s)
- 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 site administrator or designee as soon as possible after the initial verbal report by telephone. When so notified, the site administrator shall inform the Superintendent or designee.

Administrators so notified shall provide the mandated reporter any assistance necessary to ensure that reporting procedures are carried out in accordance with law, Board policy, and administrative regulation. At the mandated reporter's request, the principal may assist in completing and filing the necessary forms.

Reporting the information to an employer, supervisor, principal, school counselor, co-worker, or other person shall not be a substitute for making a mandated report to the appropriate agency. (Penal Code 11166)

Training

Within the first six weeks of each school year, or within the first six weeks of employment if hired during the school year, the Superintendent or designee shall provide training on mandated reporting requirements to district employees and persons working on their behalf who are mandated reporters. (Education Code 44691; Penal Code 11165.7)

The Superintendent or designee shall use the online training module provided by the California Department of Social Services (CDSS). (Education Code 44691)

The training shall include, but not necessarily be limited to, training in identification and reporting of child abuse and neglect. In addition, the training shall include information that failure to report an incident of known or reasonably suspected child abuse or neglect as required by law is a misdemeanor punishable by imprisonment and/or a fine as specified. (Education Code 44691; Penal Code 11165.7)

The Superintendent or designee shall obtain and retain proof of each mandated reporter's completion of the training. (Education Code 44691)

In addition, at least once every three years, school personnel may receive training in the prevention of child abuse, including sexual abuse, on school grounds, by school personnel, or in school-sponsored programs. (Education Code 44691)

Victim Interviews by Social Services

Whenever CDSS or another government agency is investigating suspected child abuse or neglect that occurred within the child's home or out-of-home care facility, the student may be interviewed by an agency representative during school hours, on school premises. The student shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the 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 student and enable him/her to be as comfortable as possible.
2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the student.
4. The selected person is subject to the confidentiality requirements of the Child Abuse and Neglect Reporting Act, a violation of which is punishable as specified in Penal Code 11167.5.

If a staff member agrees to be present, the interview shall be held at a time during school hours when it does not involve an expense to the school. (Penal Code 11174.3)

Release of Child to Peace Officer

When a child is released to a peace officer and taken into custody as a victim of suspected child abuse or neglect, the Superintendent or designee and/or principal shall not notify the parent/guardian, but rather shall provide the peace officer with the address and telephone number of the child's parent/guardian. (Education Code 48906)

Parent/Guardian Complaints

Upon request, the Superintendent or designee shall provide parents/guardians with procedures for reporting suspected child abuse occurring at a school site to appropriate agencies. For parents/guardians whose primary language is not English, such procedures shall be in their primary language and, when communicating orally regarding those guidelines and/or procedures, an interpreter shall be provided.

To file a complaint against a district employee or other person suspected of child abuse or neglect at a school site, parents/guardians may file a report by telephone, in person, or in writing with any appropriate agency identified above under "Reporting Procedures." If a parent/guardian makes a complaint about an employee to any other employee, the employee receiving the information shall notify the parent/guardian of procedures for filing a complaint with the appropriate agency. The employee shall also file a report when obligated to do so pursuant to Penal Code 11166 using the procedures described above for mandated reporters.

In addition, if the child is enrolled in special education, a separate complaint may be filed with the California Department of Education pursuant to 5 CCR 3200-3205.

Notifications

The Superintendent or designee shall provide to all new employees who are mandated reporters a statement that informs them of their status as mandated reporters, their reporting obligations under Penal Code 11166, and their confidentiality rights under Penal Code 11167. The district also shall provide these new employees with a copy of Penal Code 11165.7, 11166, and 11167. (Penal Code 11165.7, 11166.5)

Before beginning employment, any person who will be a mandated reporter by virtue of the person's position shall sign a statement indicating knowledge of the reporting obligations under Penal Code 11166 and compliance with such provisions. The signed statement shall be retained by the Superintendent or designee. (Penal Code 11166.5)

Employees who work with dependent adults shall be notified of legal responsibilities and reporting procedures pursuant to Welfare and Institutions Code 15630-15637.

The Superintendent or designee also shall notify all employees that:

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)

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 imprisonment or a fine. (Penal Code 11166) No employee shall be subject to any sanction by the district for making a report unless it can be shown that the employee knowingly made a false report or made a report with reckless disregard of the truth or falsity of the report. (Penal Code 11166, 11172)

(B) Disaster Procedures (EC 35295-35297; GC 8607 and 3100)

Disaster Plan (See Appendix C-F)

Every classroom, office, library and room on campus has a posting of the emergency procedures near the exit door. Fire Drills are practiced a minimum of each month of the school year. Earthquake drills are practiced a minimum of four times a year and Lock Down drills are practiced a minimum of once yearly. Our after school programs (ASES and EEP) also practice drills throughout the school year.

The Standardized Emergency Management System (SEMS) provides the model for all levels of emergency operations—local, regional and statewide. During a disaster the SEMS serves as an "incident command system" (ICS) with a Site Command post to coordinate leaders in each of six areas—food/water distribution, utilities, first aid, search and rescue, sanitation, and student supervision—through a definite chain of command. The ICS is set up in an Emergency Operations Center, where the leaders of each unit can be present at a single site in order to quickly facilitate communication and coordinate the response. The NSLA disaster preparedness plan shall be available to staff, students and the public in the Mentone office. Mentone's principal is authorized and directed to implement plans as described herein; or take such other action as may, in their judgment, be necessary to save lives and mitigate the effects of disasters. A principal may implement one or more of these emergency actions in coping with a disaster. Maintenance personnel are assigned as liaisons between Incident Command and the school in the event phones are inoperative. The District has furnished Mentone with Site Emergency Radios in the case that standard communications are cutoff. During an emergency, children may only be released to the parent, guardian, designee of parent, or other adult legally responsible for their care. There shall be NO EXCEPTIONS to this policy. The dismissal of children from the school shall be governed by emergency procedures. However, this procedure does not preclude the exercise of professional judgment by an administrator when the circumstances of the situation indicate dismissal to be in the best interest of the child.

Public Agency Use of School Buildings for Emergency Shelters

Public agencies, such as the American Red Cross, may use school buildings, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare. The District or County office shall cooperate with the public agency in furnishing and maintaining the services as the District or County Office may deem necessary to meet the needs of the community during this time.

(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines

Redlands Unified School District Governing Board has established policies and standards of behavior in order to promote learning and protect the safety and well-being of all students. When these policies and standards are violated, it may be necessary to suspend or expel a student from regular classroom instruction. Except where suspension for a first offense is warranted in accordance with law, suspension shall be imposed only when other means of correction fail to bring about proper conduct. (Education Code 48900.5) Expulsion is an action taken by the Board for severe or prolonged breaches of discipline by a student. Except for single acts of a grave nature, expulsion is used only when there is a history of misconduct, when other forms of discipline, including suspension, have failed to bring about proper conduct, or when the student's presence causes a continuing danger to himself/herself or others. (Education Code 48915) The grounds for suspension and expulsion and the procedures for considering, recommending and/or implementing suspension and expulsion shall be specified in administrative regulations. Suspended or expelled students shall be excluded from all school-related extracurricular activities during the suspension or expulsion. STUDENT DUE PROCESS: Mentone Elementary and the Board shall provide for the fair and equitable treatment of students facing suspension and expulsion by affording them their due process rights under the law. The Superintendent or designee shall comply with procedures for notices and appeals as specified in administrative regulation and laws. (Education Code 48911, 48915, 48915.5) ALTERNATIVES TO SUSPENSION / OPTIONS: Mentone Elementary practices progressive discipline during the school day on campus, conferences, detention, student study team, referral to support services staff (administration, counselors, a specified Check-In Check-Out person) and/or other resources including District resources such as Redlands Coordinated Supports and Services (RCSS) . DEFINITIONS: Suspension from school means removal of a student from ongoing instruction for adjustment purposes. Expulsion means removal of a student from the immediate supervision and control, or the general supervision of school personnel. NOTICE OF REGULATIONS: At the beginning of each school year, Mentone's principal ensures that all students and parents/guardians are notified in writing of all school rules related to discipline, suspension and expulsion via our parent/student handbook and via updates through weekly messages to families.

Regulation 5144.1: Suspension And Expulsion/Due Process Status: ADOPTED

Original Adopted Date: 06/27/1995 | Last Revised Date: 10/11/2022 | Last Reviewed Date: 10/11/2022 see more Definitions

Suspension means removal of a student from ongoing instruction for adjustment purposes. However, 'suspension does not mean any of the following: (Education Code 48925)

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

Referral to a certificated employee designated by the principal to advise students

Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code 48910.

Expulsion means removal of a student from the immediate supervision and control or the general supervision of school personnel. (Education Code 48925)

Notice of Regulations

At the beginning of each school year, the principal of each school shall ensure that all students and parents/guardians are notified in writing of all school rules related to discipline, including suspension and expulsion. Education Code 35291, 48900.1, 48980)

(cf. 5144 -Discipline)

(cf. 5145.6 Parental Notifications)

Grounds for Suspension and Expulsion: Grades K-12

Acts for which a student, including a student with disabilities, may be suspended or expelled shall be only those specified as follows and in the sections "Additional Grounds for Suspension and Expulsion: Grades 4-12" and "Additional Grounds for Suspension and Expulsion: Grades 9-12" below:

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

1. Caused, attempted to cause, or threatened to cause physical injury to another person; willfully used force or violence upon another person, except in self-defense; or committed as an aider or abettor, as adjudged by a juvenile court, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code 48900(a) and (t))

2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48900(b))

(cf. 5131 - Conduct)

(cf. 5131.7 - Weapons and Dangerous Instruments)

3. Unlawfully possessed, used, sold, otherwise furnished, or was under the influence of, any controlled substance as defined in the Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind. (Education Code 48900(c))

(cf. 3513.4 - Drug and Alcohol Free Schools)

(cf. 5131.6 -Alcohol and Other Drugs)

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance or material and represented same as such controlled substance, alcohol beverage or intoxicant. (Education Code 48900(d))

5. Committed or attempted to commit robbery or extortion. (Education Code 48900(e))

6. Caused or attempted to cause damage to school property or private property. (Education Code 48900(f))

7. Stole or attempted to steal school property or private property. (Education Code 48900(g))

8. Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel, except that this restriction shall not prohibit a student from using or possessing prescription products. (Education Code 48900(h))

(cf. 5131.62 - Tobacco)

9. Committed an obscene act or engaged in habitual profanity or vulgarity. (Education Code 48900(i))

10. Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code. (Education Code 48900(j))

11. Knowingly received stolen school property or private property. (Education Code 48900(1))

12. Possessed an imitation firearm, i.e., a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm. (Education Code 48900(m))

13. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code 243.4. (Education Code 48900(n))

14. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness. (Education Code 48900(Oo))

15. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma. (Education Code 48900(p))

16. Engaged in, or attempted to engage in, hazing (Education Code 48900(q))

Hazing means a method of initiation or pre-initiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. Hazing does not include athletic events or school-sanctioned events. (Education Code 48900(q))

17. Engaged in an act of bullying (Education Code 48900(r))

Bullying means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, directed toward one or more students that has or can reasonably be predicted to have the effect of placing a reasonable student in fear of harm to self or property; cause the student to experience a substantially detrimental effect on physical or mental health; or cause the student to experience substantial interferences with academic performance or ability to participate in or benefit from the services, activities, or privileges provided by a school. (Education Code 48900(r))

Bullying includes any act of sexual harassment, hate violence, or harassment, threat, or intimidation, as defined in Education Code 48900.2, 48900.3, or 48900.4 and below in the section "Additional Grounds for Suspension and Expulsion: Grades 4-12," that has any of the effects described above on a reasonable student.

Bullying also includes an act of cyber sexual bullying by a student through the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording that depicts a nude, semi-nude, or sexually explicit photograph or other visual recording of an identifiable minor, when such dissemination is to another student or to school personnel by means of an electronic act and has or can be reasonably predicted to have one or more of the effects of bullying described above. Cyber sexual bullying does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

Electronic act means the creation or transmission originated on or off the school site by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication including, but not limited to: (Education Code 48900(r))

a. A message, text, sound, video, or image

b. A post on a social network Internet 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))

(cf. 1114 - District-Sponsored Social Media)

(cf. 5131.2 - Bullying)

(cf. 6163.4 - Student Use of Technology)

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

(cf. 6164.6 - Identification and Education under Section 504)

18. Aided or abetted the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31 (Education Code 48900(t))

19. Made terrorist threats against school officials and/or school property. (Education Code 48900.7)

A terrorist threat includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death or great bodily injury to another person or property damage in excess of \$1,000, with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out. (Education Code 48900.7)

Additional Grounds for Suspension and Expulsion: Grades 4-12

A student in grades 4 through 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)

(cf. 5145.7 -Sexual Harassment)

2. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 233. (Education Code 48900.3)

Hate violence means any act punishable under Penal Code 422.6, 422.7, or 422.75. Such acts include injuring or intimidating a victim, interfering with the exercise of a victim's civil rights, or damaging a victim's property because of the victim's race, ethnicity, religion, nationality, disability, gender, gender identity, gender expression, or sexual orientation; a perception of the presence of any of those characteristics in the victim; or the victim's association with a person or group with one or more of those actual or perceived characteristics. (Education Code 233; Penal Code 422.55)

(cf. 5145.9 - Hate-Motivated Behavior)

3. Intentionally engaged in harassment, threats or intimidation against district personnel or students that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment. (Education Code 48900.4)

(cf. 5145.3 -Nondiscrimination/Harassment)

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))

(cf. 5131.4 - Student Disturbances)

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 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)

(cf. 5125 - Student Records)

Length of Suspension

The Superintendent, principal, or designee may suspend a student from school for not more than five consecutive school days. (Education Code 48911)

A student may be suspended from school for not more than 20 school days in any school year. However, if a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class for the purpose of adjustment, the student may be suspended for not more than 30 days in a school year. The district may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which the student may be suspended in any school year. (Education Code 48903, 48911, 48912)

(cf. 6184 - Continuation Education)

These restrictions on the number of days of suspension shall not apply when the suspension is extended pending an expulsion. (Education Code 48911)

Due Process Procedures for Suspension

Suspensions shall be imposed in accordance with the following procedures:

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the principal, Superintendent 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(b))

This conference may be omitted if the principal, designee or the Superintendent or designee determines that an emergency situation exists. An "emergency situation" involves 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. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such 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 also state the date and time when the student may return to school.

4. Parent/Guardian Conference: Whenever a student is suspended, school officials may request a meeting with the parent/guardian to discuss the cause(s) and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

Should 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)

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

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)

If the student involved is a foster youth, the Superintendent or designee shall notify the district liaison for foster youth of the need to invite the student's attorney and a representative of the appropriate county child welfare agency to attend the meeting. (Education Code 48853.5, 48911, 48918.1)

(cf. 6173.1 - Education for Foster Youth)

d. If the student involved is a homeless child or youth, the Superintendent or designee shall notify the district liaison for homeless students. (Education Code 48918.1)

(cf. 6173 - Education for Homeless Children)

In lieu of or in addition to suspending a student, the Superintendent, principal, or designee may provide services or require the student to participate in an alternative disciplinary program designed to correct 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 may hold a closed session if a public hearing would lead to disclosure of information which would violate a student's right to privacy under Education Code 49073-49079. (Education Code 35146, 48912)

(cf. 9321 Closed Session)

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 Codes 35146, 48912)

Superintendent or Principal's Authority to Recommend Expulsion

Unless the principal or Superintendent 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 principal or Superintendent 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 impracticable 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 Expulsions

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 48915.5)

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 his/her right to: (Education Code 48915.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing.
2. Have up to two adult support persons of his/her choosing present at the hearing at the time he/she testifies.
3. Have a closed hearing during the time he/she testifies.

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48915.5)

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 ten (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 parent/guardian's obligation pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment.

This obligation applies when a student is expelled for acts other than those described in Education Code 48915(a) or (c).

(cf. 5119 -Students Expelled from Other Districts)

5. The opportunity for the student or the student's parent/guardian to appear in person or be represented by legal counsel or by a non-attorney adviser.

Legal counsel means an attorney or lawyer who is admitted to the practice of law in California and is an active member of the State Bar of California.

Non-attorney adviser means an individual who is not an attorney or lawyer, but who is familiar with the facts of the case and has been selected by the student or student's parent/guardian to provide assistance at the hearing.

6. The right to inspect and obtain copies of all documents to be used at the hearing.
7. The opportunity to confront and question all witnesses who testify at the hearing.
8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf, including witnesses.

Additional Notice of Expulsion Hearing for Foster Youth and Homeless Students

If the student facing expulsion is a foster student, the Superintendent or designee shall also send notice of the hearing to the student's attorney and a representative of an appropriate child welfare agency at least 10 days prior to the hearing. (Education Code 48918.1)

If the student facing expulsion is a homeless student, the Superintendent or designee shall also send notice of the hearing to the district liaison for homeless students at least 10 days prior to the hearing. (Education Code 48918.1)

Any notice for these purposes may be provided by the most cost-effective method possible, including by email or a telephone call. (Education Code 48918.1)

Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding Education Code 35145, the Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such 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 if the student should be expelled. If the Board admits any other person to the closed session, the parent/guardian, the student, and the counsel of the student shall also be allowed to attend the closed session. (Education Code 48918(c))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to testify in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including, but not limited to, a videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

2. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, so long as a reasonably accurate written and complete written transcription of the proceedings can be made. (Education Code 48918(g))

3. Subpoenas: Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20. (Education Code 48918(i))

Any objection raised by the student or the Superintendent or designee to the issuance of subpoenas may be considered by the Board in closed session, or in open session if so requested by the student, before the meeting. The Board's decision in response to such an objection shall be final and binding. (Education Code 48918(i))

If the Board determines, or if the hearing officer or administrative panel finds and submits to the Board, that a witness would be subject to unreasonable risk of harm by testifying at the hearing, a subpoena shall not be issued to compel the personal attendance of that witness at the hearing. However, that witness may be compelled to testify by means of a sworn declaration as described in item #4 below. (Education Code 48918(i))

4. Presentation of Evidence: Technical rules of evidence shall not apply to the expulsion hearings, but relevant evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. The decision of the Board to expel shall be supported by substantial evidence that the student committed any of the acts pursuant to Education Code 48900 and listed in "Grounds for Suspension and Expulsion: Grades K-12," "Additional Grounds for Suspension and Expulsion: Grades 4-12," and "Additional Grounds for Suspension and Expulsion: Grades 9-12" above. (Education Code 48918(h))

Findings of fact shall be based solely on the evidence at the hearing. Although no finding shall be based solely on hearsay, sworn declarations may be admitted as testimony from witnesses whose disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm. (Education Code 48918 (f))

In cases where a search of a student's person or property has occurred, evidence describing the reasonableness of the search shall be included in the hearing record.

5. Testimony By Complaining Witness: The following procedures shall be observed when a hearing involves allegations of sexual assault or sexual battery by a student: (Education Code 48918, 48918.5)

- a. Any complaining witness shall be given five days' notice before being called to testify.
 - b. Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during the testimony.
 - c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
 - d. The person presiding over the hearing may remove a support person who is disrupting the hearing.
 - e. If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code 868.5.
 - f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.
 - g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.
 - (1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.
 - (2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which the complaining witness may leave the hearing room.
 - (3) The person conducting the hearing may:
 - (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness.
 - (b) Limit the time for taking the testimony of a complaining witness to normal school hours, if there is no good cause to take the testimony during other hours.
 - (c) Permit one of the support persons to accompany the complaining witness to the witness stand.
6. Decision: The Board's decision on 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. Alternatively, the Board may 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(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified in "Conduct of Expulsion Hearing" above, 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 at a public meeting. (Education Code 48918(j))

The Board's decision is final. If the decision is not to 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 an act listed under "Mandatory Recommendation and Mandatory Expulsion" 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. The 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 his/her parent/guardian. (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Board of Education. (Education Code 48918)
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion. (Education Code 48918)
5. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1. (Education Code 48918)

Decision to Suspend Expulsion Order

In accordance with Board policy, when deciding whether to suspend the enforcement of an expulsion order, the Board shall take into account the following criteria:

1. The student's pattern of behavior.
2. The seriousness of the misconduct.
3. The student's attitude toward the misconduct and his/her willingness to follow a rehabilitation program.

The suspension of the enforcement of an expulsion shall be governed by the following:

1. The Board may, as a condition of the suspension of enforcement, assign the student to a school, class or program appropriate for the student's rehabilitation. This rehabilitation program may provide for the involvement of the student's parent/guardian in the student's education. However, a parent/guardian's refusal to participate in the rehabilitation program shall not be considered in the Board's determination as to whether the student has satisfactorily completed the rehabilitation program. (Education Code 48917)
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status. (Education Code 48917)
3. The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion: Grades K-12," "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 suspension of enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order. (Education Code 48917)
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings. (Education Code 48917)
6. 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 of Education. (Education Code 48917)
7. 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 also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education, 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(ij))

Appeal

The student or parent/guardian is entitled to file an appeal of the Board's decision with the County Board of Education. 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)

Notifications 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 also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance, 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 district or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering or sale of controlled substances, alcohol, or intoxicants of any kind. (Education Code 48902)

Placement During Expulsion

The Board shall refer expelled students to a program of study that is: (Education Code 48915, 48915.01)

1. Appropriately prepared to accommodate students who exhibit discipline problems.
2. Not provided at a comprehensive middle, junior or senior high school or at any elementary school, unless the program is offered at a community day school established at any of these.
3. Not housed at the school site attended by the student at the time of suspension.

(cf. 6158 - Independent Study)

(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for only acts described in items #6 through #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 request for recommendation regarding readmission. The Board shall consider this recommendation in closed session. If a written request for open session is received from the parent/guardian or adult student, it shall be honored to the extent that privacy rights of other students are not violated.
3. If the readmission is granted, the Superintendent or designee shall notify the student and parent/guardian, by registered mail, of the Board's decision regarding readmission.
4. The Board may deny readmission only if it finds that the student has not satisfied the conditions of the rehabilitation plan or that the student continues to pose a danger to campus safety or to other district students or employees. (Education Code 48916)
5. If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school.
6. The Board shall provide written notice to the expelled student and parent/guardian describing the reasons for denying readmittance into the regular program. This notice shall indicate the Board's determination of the educational program which the Board has chosen. The student shall enroll in that program unless the parent/guardian chooses to enroll the student in another school district. (Education Code 48916)

No student shall be denied readmission into the district based solely on the student's arrest, adjudication by a juvenile court, formal or informal supervision by a probation officer, detention in a juvenile facility, enrollment in a juvenile court school, or other such contact with the juvenile justice system. (Education Code 48645.5)

Maintenance of Records

The district shall maintain a record of each suspension and expulsion, including its specific cause(s). (Education Code 48900.8)

Expulsion records of any student shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls upon written request by that school. (Education Code 48918(k))

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district. (Education Code 48915.1)

(cf. 5119 - Students Expelled from Other Districts)

Regulation REDLANDS UNIFIED SCHOOL DISTRICT

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(D) Procedures to Notify Teachers of Dangerous Pupils (EC 49079)

Whenever a student is identified as violent or dangerous per E.C. 49079 the teacher will be informed by the principal. The teacher shall keep this information in confidence and must not further disseminate it. However, if the teacher believes that the student is improperly placed (or is an immediate danger) these opinions (and related observations) should be shared with the principal immediately. The District office also has a responsibility to insure that all appropriate actions are taken to identify, notify and support necessary interventions with regard to violent or dangerous pupils. Student Services Department notifies principals at the beginning of each school year of students who were suspended in the prior year. Principals, in turn, notify the current teacher in writing.

(E) Sexual Harassment Policies (EC 212.6 [b])

Policy 4119.11: Sex Discrimination and Sex-Based Harassment

The Governing Board is committed to providing a safe work environment that is free of harassment and intimidation. The Board prohibits sexual harassment against district employees by anyone, in any manner, and prohibits retaliatory action or behavior against any persons who complains, testifies, or otherwise participates in the complaint process established pursuant to this policy and accompanying administrative regulation. This policy shall apply to all district employees, interns, volunteers, contractors, job applicants, and other persons with an employment relationship with the district.

(cf. 0410 - Nondiscrimination in District Programs and Activities) (cf. 4030 - Nondiscrimination in Employment)

Sexual harassment includes, but is not limited to, harassment that is based on the sex, gender, gender identity, gender expression, or sexual orientation of the victim and harassment based on pregnancy, childbirth, or related medical conditions.

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation, and correction of sexual harassment, including but not limited to:

1. Providing training to all staff in accordance with law and administrative regulation.
2. Publicizing and disseminating the district's sexual harassment policy to staff.
3. Ensuring prompt, thorough, equitable, and fair investigation of complaints
4. Taking timely and appropriate corrective/remedial actions which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments.

The Superintendent or designee shall periodically evaluate the effectiveness of the district's strategies to prevent and address harassment. Such evaluation may involve conducting regular anonymous employee surveys to assess whether harassment is occurring or is perceived to be tolerated, partnering with researchers or other agencies with the needed expertise to evaluate the district's prevention strategies, and using any other effective tool for receiving feedback on systems and/or processes. As necessary, changes shall be made to the harassment policy, complaint procedures, or training.

Sexual Harassment Reports and Complaints

Any district employee who feels that he/she has been sexually harassed in the performance of their district responsibilities or who has knowledge of any incident of sexual harassment by or against another employee shall immediately report the incident to his/her supervisor, the principal, other district administrator, or the district's Title IX Coordinator. However, an employee may bypass his/her supervisor in filing a complaint if the supervisor is the subject of the complaint. A supervisor, principal, or district administrator who receives a harassment complaint shall promptly notify the Title IX Coordinator.

Once notified, the Title IX Coordinator shall ensure the complaint or allegation is addressed through AR 4119.12/4219.12/4319.12 – Title IX Sexual Harassment Complaint Procedures or AR 4030- Nondiscrimination in Employment, as applicable. Because a complaint or allegation that is dismissed or denied under the Title IX complaint procedure may still be subject to consideration under state law, the Title IX Coordinator shall ensure that any implementation of AR 4119.12/4219.12/4319.12 concurrently meets the requirements of AR 4030.

Notwithstanding the above, BP/AR 4119.12/4219.12/4319.12 and 4030 shall under no circumstances be used to resolve complaints brought by, on behalf of, or against students. All complaints brought by, on behalf of, or against students that allege “sexual harassment” as that term is defined in the federal regulations implementing Title IX of the Education Amendments of 1972 (see 34 C.F.R. § 106, et seq.) shall be investigated and resolved under BP/AR 5145.71. All complaints brought by, on behalf of, or against students that do not meet the definition of “sexual harassment” as set forth in the Title IX implementing regulations shall be investigated and resolved under BP/AR 1312.3.

(cf. 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaints)

The Title IX Coordinator shall offer supportive measures to the complainant and respondent, as deemed appropriate under the circumstances.

Upon investigation of a sexual harassment complaint, any district employee who engages, or participates in sexual harassment, or who aids, abets, incites, compels, or coerces another to commit sexual harassment in violation of this policy is subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Reports) (cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4218 -

Dismissal/Suspension/Disciplinary Action)

Regulation 4119.12: Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures

The complaint procedures described in this administrative regulation shall be used to address any complaint governed by Title IX of the Education Amendments of 1972 alleging that a district employee, while in an education program or activity in which a district school exercises substantial control over the context and respondent, was subjected to one or more of the following forms of sexual harassment: (34 CFR 106.30, 106.44)

1. A district employee conditioning the provision of a district aid, benefit, or service on a person's participation in unwelcome sexual conduct
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291 (cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

All other sexual harassment complaints or allegations shall be investigated and resolved in accordance with AR 4030

- Nondiscrimination in Employment. The determination of whether the allegations meet the definition of sexual harassment under Title IX shall be made by the district's Title IX Coordinator.

(cf. 4030 - Nondiscrimination in Employment)

Because the complainant has a right to pursue a complaint under AR 4030 for any allegation that is dismissed or denied under the Title IX complaint procedure, the Title IX Coordinator shall ensure that all requirements and timelines for AR 4030 are concurrently met while implementing the Title IX procedure.

Reporting Allegations/Filing a Formal Complaint

An employee who is the alleged victim of sexual harassment may submit a report of sexual harassment to the district's Title IX Coordinator using the contact information listed in AR 4119.11/4219.11/4319.11 - Sexual Harassment or to the employee's direct supervisor or other district administrator, who shall forward the report to the Title IX Coordinator within one day of receiving the report. Upon receiving such a report, the Title IX Coordinator shall inform the complainant of the right to file a formal complaint and the process for filing a formal complaint.

A formal complaint, with the complainant's physical or digital signature, may be filed with the Title IX Coordinator in person, by mail, by email, or by any other method authorized by the district. (34 CFR 106.30)

Even if the alleged victim chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations when a safety threat exists. In addition, the Title IX Coordinator may file a formal complaint in other situations as permitted under the Title IX regulations, including as part of the district's obligation to not be deliberately indifferent to known allegations of sexual harassment. In such cases, the Title IX Coordinator shall provide the alleged victim notices as required by the Title IX regulations at specific points in the complaint process.

The Title IX Coordinator, investigator, decision-maker, or a facilitator of an informal resolution process shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. Such persons shall receive training in accordance with 34 CFR 106.45. (34 CFR 106.45)

Supportive Measures

Upon receipt of a report of Title IX sexual harassment, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures and shall consider the complainant's wishes with respect to the supportive measures implemented. Supportive measures shall be offered as appropriate, as reasonably available, and without charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures shall be nondisciplinary, nonpunitive, and not unreasonably burden the other party, including measures designed to protect the safety of all parties or the district's educational environment or to deter sexual harassment. Supportive measures may include, but are not limited to, counseling, extensions of deadlines, modifications of work schedules, mutual restrictions on contact, changes in work locations, leaves of absence, increased security, and monitoring of certain areas of the campus. (34 CFR 106.30, 106.44)

The district shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the district's ability to provide the supportive measures. (34 CFR 106.30)

Emergency Removal

If a district employee is the respondent, the employee may be placed on administrative leave during the pendency of the formal complaint process. (34 CFR 106.44)

If the respondent is a student, the district may, on an emergency basis, remove the student from the district's education program or activity, provided that the district conducts an individualized safety and risk analysis, determines that removal is justified due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations, and provides the student with notice and an opportunity to challenge the decision immediately following the removal. This authority to remove a student does not modify a student's rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973. (34 CFR 106.44)

Dismissal of Complaint

The Title IX Coordinator shall dismiss a formal complaint if the alleged conduct would not constitute sexual harassment as defined in

34 CFR 106.30 even if proved. The Title IX Coordinator shall also dismiss any complaint in which the alleged conduct did not occur in the district's education program or activity or did not occur against a person in the United States, and may dismiss a formal complaint if the complainant notifies the district in writing that the complainant would like to withdraw the complaint or any allegations in the complaint, the respondent is no longer employed by the district, or sufficient circumstances prevent the district from gathering evidence sufficient to reach a determination with regard to the complaint. (34 CFR 106.45)

Upon dismissal, the Title IX Coordinator shall promptly send written notice of the dismissal and the reasons for the dismissal simultaneously to the parties and shall inform them of their right to appeal the dismissal of a formal complaint or any allegation in the complaint in accordance with the appeal procedures described in the section "Appeals" below. (34 CFR 106.45)

If a complaint is dismissed, the conduct may still be addressed pursuant to AR 4030 - Nondiscrimination in Employment as applicable.

Informal Resolution Process

When a formal complaint of sexual harassment is filed, the district may offer an informal resolution process, such as mediation, at any time prior to reaching a determination regarding responsibility. The district shall not require a party to participate in the informal resolution process or to waive the right to an investigation and adjudication of a formal complaint. (34 CFR 106.45)

The district may facilitate an informal resolution process provided that the district: (34 CFR 106.45)

1. Provides the parties with written notice disclosing the allegations, the requirements of the informal resolution process, the right to withdraw from the informal process and resume the formal complaint process, and any consequences resulting from participating in the informal resolution process, including that records will be maintained or could be shared.
2. Obtains the parties' voluntary, written consent to the informal resolution process

Written Notice

If a formal complaint is filed, the Title IX Coordinator shall provide the known parties with written notice of the following: (34 CFR 106.45)

1. The district's complaint process, including any informal resolution process
2. The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known. Such notice shall be provided with sufficient time for the parties to prepare a response before any initial interview. If, during the course of the investigation, new Title IX allegations arise about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.
3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process
4. The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an attorney, and the ability to inspect and review evidence
5. The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process

The above notice shall also include the name of the investigator, facilitator of an informal process, and decision-maker and shall inform the parties that, if at any time a party has concerns regarding conflict of interest or bias regarding any of these persons, the party should immediately notify the Title IX Coordinator.

Investigation Procedures

During the investigation process, the district's designated investigator shall: (34 CFR 106.45)

1. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and

exculpatory evidence

2. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence
3. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney
4. Not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding, although the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as the restrictions apply equally to both parties
5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate
6. Send in an electronic format or hard copy to both parties and their advisors, if any, the evidence obtained as part of the investigation that is directly related to the allegations raised in the complaint, and provide the parties at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report
7. Objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and determine credibility in a manner that is not based on a person's status as a complainant, respondent, or witness
8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review and written response

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. (34 CFR 106.45)

Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.

If the complaint is against an employee, rights conferred under an applicable collective bargaining agreement shall be applied to the extent they do not conflict with the Title IX requirements.

Written Decision

The Superintendent shall designate an employee as the decision-maker to determine responsibility for the alleged conduct, who shall not be the Title IX Coordinator or a person involved in the investigation of the matter. (34 CFR 106.45)

After the investigative report has been sent to the parties but before reaching a determination regarding responsibility, the decision-maker shall afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party.

The decision-maker shall issue, and simultaneously provide to both parties, a written decision as to whether the respondent is responsible for the alleged conduct. (34 CFR 106.45)

The written decision shall be issued within 60 calendar days of the receipt of the complaint.

The timeline may be temporarily extended for good cause with written notice to the complainant and respondent of the extension and the reasons for the action. (34 CFR 106.45)

In making this determination, the decision-maker shall use the "preponderance of the evidence" standard for all formal complaints of sexual harassment. (34 CFR 106.45)

The written decision shall include the following: (34 CFR 106.45)

1. Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR 106.30

2. A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the district includes hearings as part of the grievance process
3. Findings of fact supporting the determination
4. Conclusions regarding the application of the district's code of conduct or policies to the facts
5. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's educational program or activity will be provided by the district to the complainant
6. The district's procedures and permissible bases for the complainant and respondent to appeal

Appeals

Either party may appeal the district's decision or dismissal of a formal complaint or any allegation in the complaint, if the party believes that a procedural irregularity affected the outcome, new evidence is available that could affect the outcome, or a conflict of interest or bias by the Title IX Coordinator, investigator(s), or decision-maker(s) affected the outcome. If an appeal is filed, the district shall: (34 CFR 106.45)

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties
2. Ensure that the decision-maker(s) for the appeal is trained in accordance with 34 CFR 106.45 and is not the same decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator
3. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome
4. Issue a written decision describing the result of the appeal and the rationale for the result
5. Provide the written decision simultaneously to both parties

An appeal must be filed in writing within 10 calendar days of receiving the notice of the decision or dismissal, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered.

A written decision shall be provided to the parties within 20 calendar days from the receipt of the appeal.

Either party has the right to file a complaint with the U.S. Department of Education's Office for Civil Rights within 180 days of the date of the most recently alleged misconduct.

The complainant shall be advised of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal antidiscrimination laws, if applicable.

Remedies

When a determination of responsibility for sexual harassment has been made against the respondent, the district shall provide remedies to the complainant. Such remedies may include the same individualized services described above in the section "Supportive Measures," but need not be nondisciplinary or nonpunitive and need not avoid burdening the respondent. (34 CFR 106.45)

Disciplinary Actions

The district shall not impose any disciplinary sanctions or other actions against a respondent, other than supportive measures as described above in the section "Supportive Measures," until the complaint procedure has been completed and a determination of responsibility has been made. (34 CFR 106.44)

When an employee is found to have committed sexual harassment or retaliation, the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Report)

(cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4119.11/4219.11/4319.11 - Sexual Harassment) (cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Record-Keeping

The Superintendent or designee shall maintain, for a period of seven years: (34 CFR 106.45)

1. A record of all reported cases and Title IX investigations of sexual harassment, any determinations of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary sanctions imposed, any remedies provided to the complainant, and any appeal or informal resolution and the results therefrom.
2. A record of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment, including the district's basis for its conclusion that its response was not deliberately indifferent, the measures taken that were designed to restore or preserve equal access to the education program or activity, and, if no supportive measures were provided to the complainant, the reasons that such a response was not unreasonable in light of the known circumstances.
3. All materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process. The district shall make such training materials publicly available on its web site, or if the district does not maintain a web site, available upon request by members of the public.

(cf. 1113 - District and School Web Sites) (cf. 3580 - District Records)

(F) School-wide Dress Code Relating to Gang-Related Apparel (EC 35183)

Regulation 5132.16: ^Student Dress Guidelines Status: ADOPTED

Original Adopted Date: 06/27/1995 | Last Revised Date: 01/29/2002 | Last Reviewed Date: 01/29/2002 see more

The Governing Board feels that there is nothing inherently wrong with dress or color of dress, but when student's dress serves to intimidate or impede the rights of other students it will be determined that dress is in violation of this policy. A student may not remain at school dressed in a manner which (1) creates a safety hazard for said student or for other students at school, and/or (2) when the dress constitutes a serious and unnecessary distraction to the learning process or tends to disrupt campus order.

When the site administrator/designee determines that a student's attire is in violation of this policy, the student will be required to modify his/her clothing and/or apparel in such a manner that it no longer violates this policy. If necessary, the student may be taken or sent home with parental permission to modify unacceptable dress and return to school. Refusal to take steps as described in this policy shall be cause for disciplinary action against the student. Any such disciplinary action shall be handled pursuant to existing student disciplinary policy.

Parents/guardians have primary responsibility to see that students are properly attired for school. School district personnel have the responsibility for maintaining proper and appropriate conditions conducive to learning. Hence, the following guidelines will be implemented in all district schools.

Shoes will be worn at all times. A substantial sole is required and enclosed toe and heel footwear are highly encouraged.

Extremely brief garments that are distracting to the educational environment are not appropriate. Clothing shall be sufficient to conceal undergarments at all times.

Clothing or accessories shall be free of writing, pictures or any other insignia which are crude, violent, obscene or sexually suggestive or which advocate racial, ethnic or religious prejudice or the use of tobacco, drugs or alcohol.

Earrings, jewelry, or accessories which present a safety hazard to the wearer or others are not suitable for school wear.

Only prescription sunglasses may be worn in class. Other types of sunglasses may be worn on campus outside of class.

Identified gang attire such as bandannas, haircuts or hair rollers, or any gang paraphernalia are prohibited.

Students are allowed to wear sun protective clothing, including hats, while outdoors during the school day. Each school site will develop a policy indicating the type of sun protective hats that are permitted.

No grade of a student participating in a physical education class shall be adversely affected if the student does not wear standardized physical education apparel because of circumstances beyond the student's control. (Education Code 49066) All clothing worn during physical education shall meet reasonable safety standards.

The purpose of adopting these Student Dress Guidelines is not to infringe on any individual student's rights to freedom of expression, but rather to encourage students to dress appropriately and come to school properly prepared for participating in the educational process.

Gang-Related Apparel

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed as needed and updated as necessary.

Uniforms

In schools where a majority of parents respond and indicate on a survey that they desire to establish a voluntary school-wide uniform dress code, the principal, staff and the parents/guardians of the individual school site shall:

Jointly select the specific uniform to be worn. (Education Code 35183)

Describe the uniform parts and identify local vendors who sell those pieces of clothing. A description of the implementation of the voluntary uniform dress code will be submitted to the superintendent's designee including:

The process for parent notification

Positive procedures that will be used to encourage students to participate with the voluntary uniform dress code

A description of the uniform and a list of costs for each competitively priced item of clothing as provided by a variety of vendors will be sent to parents.

Parents will be notified that this is a voluntary uniform dress code and that students not participating shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardians so decide.

Parent Notification

The principal shall give parents/guardian at least six months notice before a school site implements a voluntary school uniform dress code. (Education Code 35183)

(G) Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School (EC 35294.2)

Closed campus: All doors which provide access to classrooms and other rooms, except the main office, remain locked. All visitors to the campus must come through the office to sign in through the Raptor System and obtain a visitor's badge which they must wear for the duration of the time they are on campus. All perimeter gates are locked during school hours and during our after school programs, ASES and EEP.

Leaving early: Students must stay on campus from the time of arrival in the morning until school ends. Students may leave campus during school hours if parents, guardians, or persons designated by parents or guardians come to pick them up from school. A prior written request from a parent or guardian must be submitted if someone other than the parent or someone on the emergency card is going to pick up a child. Persons picking up students during the school day must sign the student out in the front office. They must be at least 18 years of age and provide a valid ID. Under no circumstances should a student leave campus without permission.

Late arrivals: If a student is late in the morning, they must report to the office for a late slip and then quickly go to class.

Volunteers: Mentone appreciates volunteers. School volunteers are required to fill out a volunteer application. Upon clearance you may begin volunteering at Mentone. Volunteers are required to check in with school personnel at each visit.

(H) A Safe and Orderly School Environment Conducive to Learning (EC 35294.2)

Component:

Positive School Climate

Element:

School-wide Positive Behavioral Interventions and Supports (PBIS), an evidence-based, tiered framework for supporting students' behavioral, academic, social, emotional, and mental health. This is done via Mentone's ABC's; Accept responsibility, Be respectful, Choose Kindness.

Opportunity for Improvement:

Student Expectations are shared and reviewed with students and staff on regular basis. Campus-wide expectancies are reinforced on a daily basis.

Objectives	Action Steps	Resources	Lead Person	Evaluation
Students will be able to identify the ABC's of Mentone	Students will be recognized with PBIS points for following ABC's	PBIS Store	Administration/Leadership team	Track referrals and suspensions as well as PBIS points used
Students will work in partnership with staff towards shared goals	There is a student leadership team	Grade 4 and 5 students and Counselors	Counseling team	Weekly lunches to discuss events on campus; feedback and improvement
Staff will recognize students who follow the ABCs	Monthly Flag Ceremony and Positive Office Referrals	Student awards and recognition in front of their peers and office staff	Administration	Positive phone calls; Attendance by parents/community at assembly

Component:

Academic environment which is safe social emotionally and physically.

Element:

Mentone will continue to support our students' social and emotional well being through the implementation and evaluation of positive support systems. We will also continue to build a college and career ready culture for all students through research based strategies such as AVID

Opportunity for Improvement:

Promote students that are career and college ready

To empower students to show respect, make good decisions, and solve problems using their words and school resources

Physical and safety upkeep of our grounds

Objectives	Action Steps	Resources	Lead Person	Evaluation
College and Career Learning Environment	Students and staff wear college shirts on Mondays to encourage students to follow a career pathway. Teachers discuss college and career to all students. AVID Strategies implemented in class	Train staff on AVID and college readiness strategies: Study Skills and Research Techniques, Critical Thinking and Collaboration, Time Management and Organizational Skills Like Keeping a Planner, and WICOR - Writing, Inquiry, Collaboration, Organization, and Reading. WICOR is identified in all classrooms.	Administration and Teachers	Teacher Evaluations Progress Adviser Walk-Thrus
SEL (Social-Emotional Learning) Program	Counselors currently collaborate with teachers on how to support students Counselor provides lessons in all grade levels to support SEL needs Counselors have office hours for students	Second Step Learning Program	Counselors	Implementation of Second Step Curriculum Counselor Evaluations
Plant is physically safe	Monthly custodial meetings with administration Daily safety checks by administration Daily check-ins with lead custodian by administration	Work orders are input into the work order system Progress Adviser tracks safety checks	Administration and custodial team	Work order system reports Progress Adviser report

(I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5)

Mentone Elementary School Student Conduct Code

ABC'S of Mentone

A - Accept responsibility B - Be respectful C - Choose Kindness

Conduct Code Procedures

PBIS/Restorative Practices

Mentone Elementary participates in Positive Behavioral Interventions and Supports (PBIS), which is a way for schools to encourage and teach good behavior. PBIS is an approach that schools can use to improve school safety and promote positive behavior. It's also a way for schools to decide how to respond to a child who misbehaves. Administration and Counselors are trained on restorative practices. Restorative Practices are focused on relationships with the goal of building strong connections that promote positive behavior and positive classroom climate. Both PBIS and Restorative Practices seek to improve school and classroom climate, increase student achievement, build social and emotional capacity, keep students in school, and improve teacher classroom management. Restorative Practices are intended to provide tools for creating positive behavioral outcomes.

More detailed expectations can be found in Mentone's Parent and Student Handbook

(K) Hate Crime Reporting Procedures and Policies

PENAL CODE - PEN

PART 1. OF CRIMES AND PUNISHMENTS [25 - 680.4] (Part 1 enacted 1872.)

TITLE 11.6. CIVIL RIGHTS [422.55 - 422.94] (Title 11.6 added by Stats. 1987, Ch. 1277, Sec. 4.)

CHAPTER 1. Definitions [422.55 - 422.57] (Chapter 1 added by Stats. 2004, Ch. 700, Sec. 6.)

422.55.

For purposes of this title, and for purposes of all other state law unless an explicit provision of law or the context clearly requires a different meaning, the following shall apply:

(a) "Hate crime" means a criminal act committed, in whole or in part, because of one or more of the following actual or perceived characteristics of the victim:

(1) Disability.

(2) Gender.

(3) Nationality.

(4) Race or ethnicity.

(5) Religion.

(6) Sexual orientation.

(7) Association with a person or group with one or more of these actual or perceived characteristics.

(b) "Hate crime" includes, but is not limited to, a violation of Section 422.6.

(Added by Stats. 2004, Ch. 700, Sec. 6. Effective January 1, 2005.)

EDUCATION CODE - EDC

TITLE 2. ELEMENTARY AND SECONDARY EDUCATION [33000 - 65001] (Title 2 enacted by Stats. 1976, Ch. 1010.)

DIVISION 4. INSTRUCTION AND SERVICES [46000 - 65001] (Division 4 enacted by Stats. 1976, Ch. 1010.)

PART 27. PUPILS [48000 - 49703] (Part 27 enacted by Stats. 1976, Ch. 1010.)

CHAPTER 6. Pupil Rights and Responsibilities [48900 - 49055] (Chapter 6 enacted by Stats. 1976, Ch. 1010.)

ARTICLE 1. Suspension or Expulsion [48900 - 48927] (Article 1 repealed and added by Stats. 1983, Ch. 498, Sec. 91.)

48900.3.

In addition to the reasons set forth in Sections 48900 and 48900.2, a pupil in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has caused, attempted to cause, threatened to cause, or participated in an act of, hate violence, as defined in subdivision (e) of Section 233.

(Amended by Stats. 1999, Ch. 646, Sec. 25. Effective January 1, 2000.)

(J) Procedures to Prepare for Active Shooters

3 LEVELS OF STUDENT SAFETY IN A CRISIS

Safe and Secure Mode (Limit Outside Movement) YELLOW

Safe and Secure Mode is a security procedure used to reduce student and staff movement outside school buildings. This may be due to a medical emergency, area disturbance, isolated site disturbance, etc. It is designed to allow for school to carry forward

but have the ability to move to Lockdown quickly if needed. During the Safe and Secure mode, there is heightened vigilance on campus by all school staff.

Generally, recesses and outdoor activities are reduced. Parents/guardians can have access to their student(s) and may check them out of school if they see fit to do so.

Teachers should continue teaching as normal

Allow students restroom use with clear administrator/ teacher direction

Increased available staff presence during passing periods and student dismissal

Lunch/activities monitored more closely for movement outside of lunch area, unless site admin decides otherwise

Standard inclement weather schedule/routine in place, unless site administrator/designee decides otherwise

Perimeter gates, where applicable, will be locked and monitored by available staff, allowing for central access points

PE classes will be monitored more closely for movement outside of PE area; classes may be moved off all fields into more secure locations (e.g., gym, class, & MPR)

Lock Down (Prevent All Outside Movement) ORANGE

Lock Down is called when a law enforcement event is happening in the vicinity of a school or on campus. With the support of law enforcement, a school site will call a Lock Down as a precautionary measure. This means all students and staff must stay inside behind locked doors; however, it does not mean that there is an active threat occurring on campus.

Take a look outside your classroom and gather up any stray students in the hallways

Ensure that your door is locked

Project a calm demeanor to help students remain calm; reassure students that they are safe

Do not allow anyone to leave the classroom

Staff and parents/guardians frequently check their emails for updates from their site administrators

If students are out on the playground or athletic fields, quickly move them to a secure classroom, locker room, or multi-purpose room

Teachers continue to keep students engaged in learning

Critical Alert (Locks, Lights, Out of Sight) RED

Critical Alert is called when a significant, threatening event is happening on campus or adjacent to campus that creates a potential danger to students and staff. While this may be communicated to the school by law enforcement, it may also be determined by school officials on the scene. Critical Alert assumes that everyone is prepared for a potential significant threat/event on campus.

Turn off or reduce lighting, so it will appear that the room is vacant

Keep all students sitting on the floor, away from the door or windows

Do not look out the windows

Advise the students that there is a serious situation; project a calm demeanor and reassure students that you are taking steps to keep them safe

Ensure that everyone in the room turns the ringer off on their cell phones

Do not allow students to talk on their cell phones (keep room as quiet as possible)

Limit calls to the school office; phones are being used to communicate with parents/guardians and first responders

Quietly take roll and make a list of missing students and any extra students that are in your room. Email this list to your administrators and school site secretaries (or use Raptor app)

When staff determines, they will direct the evacuation of students they oversee to the designated area; each staff will make this determination based on their specific situation

Do not open the door, even if someone knocks and claims to be a staff member (administrator/custodian will have a master key)

If students are out on the PE field, do not return them to the locker room. Move them to a safe place (this may be the farthest part of the campus or off campus); Staff must remain with students until reunification

Revised 9-6-24

Procedures for Preventing Acts of Bullying and Cyber-bullying

RUSD Board Regulation 5144.1(17)

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))

Safety Plan Review, Evaluation and Amendment Procedures

A Safety Committee is created each school year. The purpose of the committee is to review the Safety Plan and procedures on a continual basis. The committee meets a minimum of three times per year and is made up of school staff and parent/community members. The Safety Committee recommendations/plan are brought to the attention of the staff and presented to School Site Council for approval.

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)
Safety Committee Input	9/12/24 11:00	Via email
Mentone Staff Input	9/12/24 11:00 and 9/20/24	Via email
Safety Committee Approval	9/17/24 2:30	Via Zoom meeting
School Site Council Input and Approval	9/24/24 3:15	Via Zoom meeting

Emergency Response Guidelines

Step One: Identify the Type of Emergency

Determining the type of emergency will assist the commander/administrator in making the appropriate decisions to keep the campus safe. The response to a fire, is drastically different than responding to an active shooter. The type of emergency may lead to evacuation, shelter-in-place, or lockdown as well as which agency to contact.

Step Two: Identify the Level of Emergency

Determining the size and immediacy of the emergency will determine the level. The site leader will determine if it is a classroom only, building, area (i.e. playground), whole school, neighborhood, or city-wide emergency.

Step Three: Determine the Immediate Response Action

With safety of students, staff and visitors at the forefront, site administrators/commander will determine immediate response based on site protocols. Please reference sections about specific emergencies.

Step Four: Communicate the Appropriate Response Action

Administrators/Commander will communicate to the necessary emergency responders via phone. Administrators/Commander will utilize a variety of communication tools to notify staff and emergency participants such as: bell system, phone intercom system, emails. In addition, the Administrator/Commander will communicate with the District Office via emergency radio. Lastly, a community communication plan will be created to notify families of incident, pick-up procedures, or next steps through one or several methods: Parent Square, postings on website and all social media accounts (X and/or Instagram).

Types of Emergencies & Specific Procedures

Earthquake

Earthquake A. IF INSIDE SCHOOL BUILDING: 1. The teacher, or staff member in authority, will implement action, DUCK COVER AND HOLD. Stay inside building until the shaking stops. 2. Try to avoid glass and falling objects, areas where there are large panels of glass and/or heavy suspended light fixtures. 3. Do not use telephones. 4. Implement action, "LEAVE BUILDING", when instructed to do so, after the earthquake is over and tremors have subsided. Special consideration should be given to exit routes as some exits may have heavy roof structures over the doorways. Go to an open area away from trees, power poles, etc. 5. Avoid touching electrical wires and metal objects such as chain link fences. 6. Render first aid if necessary. 7. Take roll and report missing students to principal. 8. The principal/designee is to establish a command post, assess damage, activate search team and activate the incident command system. 9. Activate a buddy system; determine needs of neighboring schools. 10. Principal to request assistance through school district radio. 11. Notify the District Emergency Operations Center of any breaks in utility lines. 12. The superintendent/designee will determine the advisability of closing the school, based on the report of the principal. B. IF OUTSIDE: 1. Move away from buildings, playground equipment, utility poles, signs, trees, metal fences, exposed wires and wet areas. 2. The safest place is in the open. Stay there until the earthquake is over. 3. Follow procedures 5 through 12 under "Inside School Building." C. WALKING TO AND FROM SCHOOL: 1. The safest place is in the open. Stay there. 2. Move away from buildings, utility poles, signs, trees, metal fences and exposed wires. 3. DO NOT RUN! Do "DROP -TAKE COVER." 4. After an earthquake, if on your way to school, continue to school. 5. After an earthquake, if on your way FROM school, continue home. D. ON SCHOOL BUS: 1. If possible, the bus driver will pull to the side of the road away from any buildings, poles, and large trees issue command "DROP — TAKE COVER." 2. Turn off ignition and set brakes. 3. Wait until the earthquake is over. 4. If possible, contact dispatch office by district radio for instructions. E. HANDICAPPED STUDENTS: 1. Students with handicap conditions may need special assistance and instruction regarding falling debris. 2. Each handicapped student's needs should be assessed in relation to the possibility of a disaster and his/her preparedness.

Fire in Surrounding Area

Fire in Surrounding Area INITIAL RESPONSE: 1. If necessary, sound the school alarm and evacuate building. 2. Notify the fire department by dialing 911. 3. Assemble at the pre-designated areas at safe distance from the fire/fire-fighting equipment. 4. Assist disabled persons during the evacuation. 5. Render first aid as necessary. 6. Check all bathrooms for staff and students. 7. If it is possible for adults to fight small fires (no bigger than a desk) without endangering life and/or causing injury, do so with a fire extinguisher. 8. Close, but do not lock all doors leading to the fire area to isolate the area and prevent the spread of the fire. 9. Keep access roads open for emergency vehicles. 10. Teachers should take roll and report missing students to the command post/administration. No one should leave the area until instructed to do so. 11. Notify the Superintendent. 12. The principal will recommend to the Superintendent whether further action such as the EVACUATION OF SCHOOL should be implemented. 13. Notify utility companies of a break or suspected break in their lines. 14. After a serious fire, fire department officials and maintenance personnel should determine whether the building is safe before student and staff return.

Fire on School Grounds

Fire on School Grounds INITIAL RESPONSE: 1. Sound the school alarm and evacuate building. 2. Notify the fire department by dialing 911. 3. Assemble at the pre-designated areas at safe distance from the fire/fire-fighting equipment. 4. Assist disabled during the evacuation. 5. Render first aid as necessary. 6. Check all bathrooms. 7. If it is possible for adults to fight small fires (no bigger than a desk) without endangering life and/or causing injury, do so with a fire extinguisher. 8. Close, but do not lock all doors leading to the fire area to isolate the area and prevent the spread of the fire. 9. Keep access roads open for emergency vehicles. 10. Teachers should take roll and report missing students to the command center/administration. No one should leave the area until instructed to do so. 11. Notify the Superintendent. 12. The principal will recommend to the superintendent whether further action such as the EVACUATION OF SCHOOL should be implemented. 13. Notify utility companies of a break or suspected break in their lines. 14. After a serious fire, fire department officials and maintenance personnel should determine whether the building is safe before student and staff return.

Pandemic

Policy 5141.22: Infectious Diseases

The Governing Board desires to protect students from risks posed by exposure to infectious diseases while providing an appropriate education for all students.

The Superintendent or designee shall determine whether to admit a student with an infectious disease, and shall exclude students only in accordance with law. In making this determination, he/she shall consult the student's parents/guardians, the student's physician and/or the county health department, in accordance with law and consistent with confidentiality provisions. Because bloodborne pathogens such as hepatitis B virus, hepatitis C virus and human immunodeficiency virus (HIV) are not casually transmitted, the sole presence of bloodborne pathogens is not sufficient reason to exclude students from attending school.

cf. 5112.2 - Exclusions from Attendance)
(cf. 5141.26 - Tuberculosis Testing)
(cf. 5141.3 - Health Examinations)
(cf. 6158 - Independent Study)
(cf. 6159 -Individualized Education Program)
(cf. 6183 - Home/Hospital Instruction)

Parents/guardians are encouraged to inform the Superintendent or designee if their child has an infectious disease so that school staff may work cooperatively with the student's parents/guardians to minimize the child's exposure to other diseases in the school setting. The Superintendent or designee shall ensure that student confidentiality rights are strictly observed in accordance with law. No district employee shall release medical information, including knowledge of a bloodborne pathogen infection, without written consent from the parent/guardian or adult student. Such information shall be shared only with those persons specifically named in the written permission.

(cf. 5125 - Student Records)
(cf. 5022 -Student and Family Privacy Rights)

The Board requires students and staff to routinely observe universal precautions to prevent exposure to bloodborne pathogens and to prevent the spread of all infectious disease.

cf. 4119.42/4219.42/4319.42 -Exposure Control Plan for Bloodborne Pathogens)
(cf. 4119.43/4219.43/4319.43 - Universal Precautions)
(cf. 5141.23 - Infectious Disease Prevention)

The Superintendent or designee shall ensure that the district's health education program provides information about the nature of bloodborne pathogens and their transmission.

(cf. 5141.6 - Student Health and Social Services)
(cf. 6142.2 - Sexual Health and HIV/AIDS Prevention Instruction)
(cf. 6142.8 - Comprehensive Health Education)

Blood Borne Pathogens - Safety Practices Procedures and Regulations

1. General

1.1 While recognizing that both students and employees diagnosed with an infectious blood borne disease are entitled to a confidential relationship between themselves, the medical community and/or other agencies, the Board of School Trustees encourages these individuals to meet with the School Principal and/or Superintendent of Schools to discuss their disease and immediate and future needs.

1.2 Assessment

2. Students:

2.1. The Superintendent (or designate) will be informed, by the school principal as soon as is known, of any student infected with an infectious blood borne disease.

2.2. A Risk Assessment will be conducted using a team approach including the personal physician, public health personnel, the parent or guardian, and school district personnel as appropriate and will make recommendations about the type of educational and care setting based on the following:

- a. Behavior, neurological development and physical condition of the child;
- b. Type of interaction expected with others.
- c. What the potential is for exposure
- d. Areas for potential for exposure
- e. How exposure may happen
- f. Who needs to know?
- g. What will happen if there is a risk of exposure?

2.3. The team will consider the risk to others in the workplace, whether or not the individual is healthy enough to continue to attend school, and what precautions should be taken to ensure the safety and health of others.

a. The identity of infected students will remain confidential and restricted to those who need to know or are required to be informed.

2.4. Decisions on attendance at school are dependent on the circumstances of each individual case. Regular evaluation of the appropriateness of attendance will be conducted.

2.5. The Board will be notified immediately when the team considers the health condition of a student to be a danger to the immediate health and welfare of a school, its students or employees of the Board.

a. Upon being notified of the team's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

3. Employees

3.1. The Superintendent will be informed, by district staff as soon as is known, of any employee infected with an infectious blood borne disease.

3.2. Employees with an infectious blood borne disease, who are able to carry out the essential duties of their jobs in a satisfactory manner without posing a health or safety risk to themselves or others, will be entitled to continue their work.

3.3. Decisions regarding potential health or safety hazards will be made on a case-by-case basis in consultation with the employee, the personal physician and district personnel as appropriate.

3.4. The identity of infected employees will remain confidential and restricted to those who need to know or are required to be informed.

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4. Hygienic Safety Practices

4.1. All employees will follow "Universal Infection Control Precautions" by assuming that blood and other body fluids from all individuals are potentially infectious. These precautions include:

- a. Routinely using gloves when anticipating contact with blood
- b. Immediately washing hands and other skin surfaces after removal of gloves and/or contact with blood

4.2. Schools will be provided with appropriate protective equipment including disposable waterproof gloves (natural rubber latex, neoprene, nitrile, or vinyl), tongs or pliers and proper sharps containers.

4.3. Schools' medical room mattresses will be either vinyl-coated beds or cloth mattress with a protective vinyl (plastic) covering so that they can be cleaned as needed with a bleach solution.

4.4. Blankets can be cleaned as needed by forwarding them, in a clearly labeled plastic bag, to the Assistant Supervisor Operations at the Facilities Office.

5. Universal Precautions

5.1. Universal Precautions to prevent transmission of blood-borne disease will be followed. Universal Precautions is the term for infection control measures endorsed by the Canadian Centre for Occupational Health and Safety for workers who might come into contact with blood and other body fluids. In summary they include:

- a. Wash hands for 30 seconds after contact with blood and other body fluids contaminated with blood.
- b. Wear disposable latex gloves when you encounter blood, body fluids, or when cleaning cuts, scrapes or wounds. Wash your hands as soon as you remove your gloves. Dispose gloves in a plastic bag.
- c. Use disposable absorbent material like paper towels to stop bleeding.
- d. Discard bloodstained material in a sealed plastic bag and deposit in the garbage. Label as containing blood-tainted material.
- e. Cover cuts or scrapes with a bandage until healed.
- f. Immediately protect staff and students from coming in contact with blood-soiled surfaces. The area must be disinfected with a fresh solution of one part bleach and nine-parts water (10% bleach solution).

Mops or brushes used for cleaning should be soaked in a bleach solution for 20 minutes.

(Note: The custodial department will provide each school with the product for dissolving in water to provide the bleach solution.)

6. Identification of Risks of Occupational Exposure

6.1. In accordance with the Occupational Health and Safety Regulations (section 6.35), the district's Health & Safety Coordinator will develop and maintain a list of positions and/or tasks and procedures where there is a potential for occupational exposure to a blood borne pathogen.

6.2. Employees who have, or may have, occupational exposure to the hepatitis B virus, will upon request, receive a hepatitis B vaccination (section 6.39, OH&S Regs).

6.3. Employees who may have been exposed to a blood borne pathogen in an exposure incident will be advised to immediately seek medical attention

Blood Borne Pathogen Incident Reporting Form and Exposure Control Plan

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Blood Borne Pathogens - Safety Practices

Procedures and Regulations

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Comprehensive School Safety Plan

**2024-2025
School Year**

School: Mission Elementary School
CDS Code: 36-67843-0123851
District: Redlands Unified School District
Address: 10568 California St.
Redlands, CA 92373
Date of Adoption: November 14, 2023
Date of Update: September 16, 2024
Date of Review:
- with Staff
- with Law Enforcement
- with Fire Authority

Approved by:

Name	Title	Signature	Date
Minerva Castorena	Principal	<i>Minerva Castorena</i>	09 / 18 / 2024
Christopher McClung	Assistant Principal	<i>Christopher McClung</i>	09 / 17 / 2024
Katherine Kasiershot	Teacher	<i>Katherine Katherine</i>	09 / 18 / 2024
Jessyca Cantu	Office Manager	<i>Jessyca Cantu</i>	09 / 18 / 2024
Jeannine Meza	Parent	<i>Jeannine Meza</i>	09 / 17 / 2024
Stacie Rigall	Parent	<i>Stacie Rigall</i>	09 / 17 / 2024
Veronica Bodnar	Parent	<i>Veronica Bodnar</i>	09 / 24 / 2024
Fatima Tremazi	Parent	<i>Fatima Tremazi</i>	09 / 17 / 2024

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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.

<https://www.redlandsusd.net/mission>

A copy of the Comprehensive School Safety Plan is available for review at .

Safety Plan Vision

1. Mission Elementary School will provide a safe, orderly, and secure environment conducive to learning.
2. Mission Elementary School will create a school where students will attend regularly and be safe from physical and social-psychological harm.
3. Mission Elementary School will work collaboratively with the district office and school board to identify, establish and use strategies and programs to comply with school safety laws.
4. Mission Elementary School will develop a plan to work cooperatively and collaboratively with parents, students, teachers, administrators, counselors, and community agencies, including law enforcement, to provide a safe and orderly school and neighborhood.
5. Mission Elementary School will develop an academic program focusing on high expectations of student academic performance and behavior in all aspects of the school experience with a college/career preparation focus.
6. Mission Elementary School will solicit the participation, views, and advice of teachers, parents, school administrators, and community members and use this information to promote the safety of our pupils, staff, and community.

Components of the Comprehensive School Safety Plan (EC 32281)

Mission Elementary School Safety Committee

Assessment of School Safety

Mission Elementary has proven to be a safe environment, with minimal need for law enforcement intervention related to adult safety concerns. Both students and staff have consistently remained secure while on campus.

Strategies and Programs to Provide and Maintain a High Level of Safety (EC 32281(a)1, items A-J)

INTRODUCTION - SCHOOL PROFILE:

Mission Elementary School is one of the twenty-four schools in the Redlands Unified School District, with a rich history dating back to 1851. Our school boasts a diverse student body and is supported by a dedicated staff. Both staff and parents have noted the positive changes continuously taking place at our school.

SAFETY and ENVIRONMENT:

Mission Elementary School faces challenges in maintaining a safe environment due to surrounding traffic areas and nearby business centers. This section of the Comprehensive School Safety Plan outlines the programs currently in place at our school, as well as the strategies and initiatives developed by our school site council to ensure a safe, orderly environment conducive to learning.

SCHOOL CRIME STATUS and REPORTING:

Mission Elementary has consistently proven to be a safe environment, with minimal need for law enforcement intervention related to adult safety concerns. Both students and staff have remained secure while on campus.

PERSONAL CHARACTERISTICS of STUDENTS and STAFF:

Mission Elementary School has an enrollment of 593 students in grades TK-5. The ethnic composition of our student population is 58.59% Hispanic or Latino, 11.95% White, 9.09% Asian, 0.17% Pacific Islander, 3.54% Filipino, 9.43% Black/African American, and 7.24% Multi-Ethnic. Our students come from a variety of backgrounds, with some having recently arrived from foreign countries while others have never left their neighborhood.

CURRICULUM and EDUCATIONAL ACTIVITIES:

Our curriculum includes the basic core subjects, physical education, and enrichment classes such as Music, Art, and STEAM. Students have the opportunity to participate in various noon and after-school activities, including GATE classes, Running Club, EL tutoring, STEAM, lunchtime sports, and the Extended Learning Opportunity Program (ELOP). These opportunities are offered throughout the traditional school year.

ADDITIONAL OPPORTUNITIES:

Staff and the PTA provide additional activities and opportunities for students, including sporting events, leadership groups, Mission Mentors, science activities, family nights, and parent education opportunities. These activities are also available during the traditional school year.

(A) Child Abuse Reporting Procedures (EC 35294.2 [a] [2]; PC 11166)

Policy 5141.4: Child Abuse Prevention and Reporting

The Governing Board recognizes that the district has a responsibility to facilitate the prompt reporting of incidents of child abuse and neglect. The Superintendent or designee shall ensure that parents/guardians have access to procedures whereby they can report suspected child abuse at a school site to appropriate child protective agencies

The Superintendent or designee shall develop and implement regulations for use by employees in identifying and reporting child abuse.

District employees shall report known or suspected incidents of child abuse in accordance with district regulations and state law. Employees shall cooperate with the child protective agencies responsible for reporting, investigating and prosecuting cases of child abuse.

(cf. 4112.9 - Signed Statements/Child Abuse Reporting Statements)

The Superintendent or designee shall provide training in child abuse identification and reporting for all certificated and classified personnel. (Penal Code 11165.7)

All employees trained in child abuse identification and reporting shall be given, as a part of that training, written notice of the child abuse reporting requirements and the employees' confidentiality rights. (Penal Code 11165.7)

In order to reduce or eliminate unfounded child abuse accusations directed at school employees, child abuse in-service training shall include guidance in disciplining students and maintaining ethical relationships with them.

(cf. 3514 - Safety)

(cf. 5142 - Safety)

Duty to Report

Certificated employees and classified employees trained in child abuse identification and reporting shall report known or suspected child abuse to a child protective agency by telephone immediately or as soon as practically possible and in writing within 36 hours. The reporting duties are individual and cannot be delegated to another individual except under circumstances set forth in Penal Code 11166.

Definitions

Child Abuse includes the following:

1. A physical injury inflicted by other than accidental means on a child by another person.
2. Willful cruelty or unjustifiable punishment of a child, or willfully inflicting unjustifiable physical pain or mental suffering, or failure to safeguard a child from these injuries when the child is under a person's care or custody
3. Sexual abuse of a child
4. Neglect of a child or abuse in out-of-home care
5. Unlawful corporal punishment or injury resulting in a traumatic condition

Mandated Reporters are those people defined by law as childcare custodians, health practitioners, child visitation monitors, and employees of a child protective agency. Mandated reporters include virtually all school employees. The following school personnel are required to report:

Teachers, administrators, supervisors of child welfare and attendance, certificated student personnel employees, employees of care institutions, Headstart teachers, school psychologists, licensed nurses, counselors, presenters of child abuse prevention programs, and instructional aides or other classified employees trained in child abuse reporting.

Child Protective Agencies are those law enforcement and child protective services responsible for investigating child abuse reports, including the local police or sheriff department, county welfare or juvenile probation department, and child protective services.

Reasonable Suspicion means that it is objectively reasonable for a person to entertain such a suspicion based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his/her training and experience, to suspect child abuse. (Penal Code 11166)

Reporting Procedures

To report known or suspected child abuse, any employee (as defined above) shall report by telephone to the local child protective agency immediately. (Child Protective Services 921 County Center, 3 Court, Modesto, CA phone # 525- 6641)

The following information shall be given:

1. The name of the person making the report
2. The name of the child
3. The present location of the child
4. The nature and extent of any injury

Any other information requested by the child protective agency, including the information that led the mandated reporter to suspect child abuse.

When the verbal 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.

Within 36 hours of making the telephone report, the mandated reporter shall complete and mail to the local child protective agency a written report, which includes a completed Department of Justice form (DOJ SS 8572).

Mandated reports may obtain copies of the above form either from the district or local child protective agency.

Instructions are included on the form, and reporters may ask the site administrator for help in completing and mailing it; however, the mandated reporter is personally responsible for ensuring that the written report is correctly filed.

Employees reporting child abuse to a child protective agency are encouraged, but not required, to notify the site administrator or designee as soon as possible after the initial verbal report by telephone. When so notified, the site administrator shall inform the Superintendent or designee.

Administrators so notified shall provide the mandated reporter any assistance necessary to ensure that reporting procedures are carried out in accordance with law and district regulations. At the mandated reporter's request, the principal may assist in completing and filing the form.

If the mandated reporter does not disclose his/her identity to a district administrator, he/she shall at least provide or mail a copy of the written report to the site administrator and the district without his/her signature or name.

Legal Responsibility and Liability

Mandated reporters have absolute immunity. School employees required to report are not civilly or criminally liable for filing a required or authorized report of known or suspected child abuse.

A mandated reporter who fails to report an instance of child abuse, which he/she knows to exist or reasonably should know to exist, is guilty of a misdemeanor and is punishable by confinement in jail for a term not to exceed six months or by a fine of not more than \$1,000 or both. The mandated reporter may also be held civilly liable for damages for any injury to the child after a failure to report

When two or more persons who are required to report have joint knowledge of a suspected instance of child abuse, and when they so agree, the telephone report may be made by either of them, and a single report made and signed by that person.

However, if any person who knows or should know that the person designated failed to make the report, that person then has a duty to make the report.

The duty to report child abuse is an individual duty, and no supervisor or administrator may impede or inhibit such reporting duties. Furthermore, no person making such a report shall be subject to any sanction.

Victim Interview

Upon request, a child protective agency representative may interview a suspected victim of child abuse during school hours, on school premises, concerning a report of suspected child abuse that occurred within the child's home. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. (Penal Code 11174.3)

A staff member or volunteer aide selected by a child may decline to be present at the interview. If the selected person accepts, the principal or designee shall inform him/her, before the interview takes place, of the following legal requirements:

1. The purpose of the selected person's presence at the interview is to lend support to the child and enable him/her to be as comfortable as possible.
2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the child.
4. The selected person is subject to the confidentiality requirements of the Child Abuse and Reporting Act, a violation of which is punishable as specified by Penal Code 11167.5.
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 or Child Protective Services Agent

When a child is released to a peace officer or child protective agency and taken into custody as a victim of suspected child abuse, the Superintendent and/or principal shall not notify the parent/guardian as required in other instances of removal of a child from school, but rather shall provide the protective agency with the address and telephone number of the child's parent/guardian. It is the responsibility of the peace officer or agent to notify the parent/guardian of the situation. (Education Code 48906)

Peace officers and child protective services agents will be asked to sign an appropriate release or acceptance of responsibility form.

(cf. 5145.11 - Questioning and Apprehension)

When School Employees are Accused of Child Abuse

Regardless of who child abusers may be, the major responsibilities of mandated reports are to 1) identify incidents of suspected child abuse and 2) comply with laws requiring the reporting of suspected abuse to proper authorities. Determining whether or not the suspected abuse actually occurred is not the responsibility of the school employee. Such determination and follow-up investigation will be made by a child protective agency.

Pending the outcome of an investigation by a child protective agency and before formal charges are filed, the employee may be subject to reassignment or a paid leave of absence.

Upon filing formal charges or upon conviction, the district may take disciplinary action in accordance with law, district policies, regulations, and/or collective bargaining agreements. The Superintendent or designee shall seek legal counsel in connection with either the suspension or dismissal of the employee.

(cf. 4117.4 - Dismissal)
(cf. 4118 - Suspension/Disciplinary Action (Certificated))
(cf. 4218 - Suspension/Disciplinary Action (Classified))

Suspected Child Abuse Reporting Procedures

I. Initiating the Report

A. The report is initiated by a telephone report to the appropriate agency.

B. If the suspected child abuse has taken place within the family, call the Enter appropriate Agency Hotline at the phone number, 1 (800) 827-8724

C. If the suspected child abuse has taken place outside the family, call the local police department at:

Highland Sheriff Police Department
Phone: (909) 425-9793

D. Content of call.

- 1) Name, address, and age of child involved.
- 2) Clear description of suspected abuse.

II. Written Report

A. The telephone call is to be followed by the completion of the Suspected Child Abuse Report (form 11166. P.C.). These forms are available in the Principal's office at the high school, or you may access the form online at http://ag.ca.gov/childabuse/pdf/ss_8572.pdf for a form or immediately call (909) 384-9233 to file a report.

B. The written report is to be addressed to the person to whom the telephone report was made.

C. The written report must follow the phone call within 36 hours.

1. Suspected child abuse within the family,
Agency: Children and Family Services
Address: 150 S. Lena Road, San Bernardino, California 92415

2. Suspected child abuse outside the family should be mailed to the agency to which the report was called -

Adopted: 10/2005
Highland Sheriff Police Department
Phone: (909)425-9793

The reporting party should keep the yellow copy of the Suspected Child Abuse Report form (SS8572) or verification of completion of the reporting obligation.

Caution:

1. The reporting responsibility has not been discharged until both the telephone call and written reports are complete.
2. School personnel are not to engage in any investigation of suspected cases. The investigation will be done by the Child Protective Services office.
3. The reporting responsibility is an individual one that is NOT discharged by report to supervisors or administrators.

(B) Disaster Procedures (EC 35295-35297; GC 8607 and 3100)

Disaster Plan (See Appendix C-F)

Each classroom, office, library and room on campus has a posting of the emergency procedures near the exit door. Emergency procedures are also posted in each classroom notebook which is reviewed at the beginning of the school year for updates. Fire Drills are practiced each month of the school year. Earthquake drills are practiced four times a year and Lock Down drills are practiced quarterly.

Public Agency Use of School Buildings for Emergency Shelters

(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines

Policy 5144.1: Suspension And Expulsion/Due Process

Suspension and Expulsion

The Governing Board recognizes that maintaining an environment that promotes learning and protects the health, safety, and welfare of all students may require the suspension or expulsion of a student from regular classroom instruction. District policies and school site rules shall clearly identify district behavior standards

(cf. 5144 - Discipline)

Except in cases where suspension for a first-time offense is warranted in accordance with law, suspension shall be imposed only when other means of correction fail to bring about proper conduct. (Education Code 48900.5)

Expulsion is an action taken by the Board for severe or prolonged breaches of discipline by a student. Except for single acts of a grave nature, expulsion is usually used only when there is a history of misconduct, when other forms of discipline, including suspension, have failed to bring about proper conduct, or when the student's presence causes a continuing danger to other students. (Education Code 48915)

The grounds for suspension and expulsion and the procedures for considering, recommending, and/or implementing suspension and expulsion shall be specified in the Administrative Regulation.

Each principal shall annually inform all students and parents/guardians of the school's discipline rules and procedures and of the availability of all district policies and regulations dealing with student discipline, suspension, and expulsion. (Education Code 35291, 35291.5)

(cf. 5145.6 - Parental Notifications)

Suspended or expelled students shall be excluded from all school-related extracurricular activities during the suspension or expulsion.

cf. 6145 - Extracurricular and Cocurricular Activities)

Zero Tolerance

The Board supports a zero-tolerance approach to serious offenses in accordance with state and federal law. This approach makes the removal of potentially dangerous students from the classroom a top priority and ensures the standardized treatment of all students. Staff shall immediately report to the Superintendent/ designee any incidence of offenses specified in law, Board policy, and administrative regulation as cause for suspension or expulsion.

Student Due Process

The Board shall provide for the fair treatment of students facing suspension and expulsion by affording them their due process rights under the law. The administration and staff shall comply with procedures for notices and appeals as specified in the regulation. Procedures governing student due process shall conform in all aspects to provisions in law. (Education Codes 48911, 48915 and 48915.5)

Whenever a student is suspended, school officials may (but are not required to) meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

cf. 5119 - Students Expelled from Other Districts

(cf. 5144.2 - Suspension and Expulsion/Due Process - Individuals with Exceptional Needs)

Rights of Complaining Witness

An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental or emotional needs of a student who is the complaining witness. (Education Code 48918.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Educational Code 48918.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies
3. Have a closed hearing during the time he/she testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48918.5)

On-Campus Suspension Program

The Board recognizes that students who are suspended from school frequently have no supervision or guidance during school hours when they are off campus. The Board believes that in many cases, instead of sending the student off campus, it would be better to address the student's misconduct by keeping the student at school and providing him/her with supervision that is separated from the regular classroom.

The Superintendent or designee shall examine alternatives to off-campus suspension and may establish a suspension program that involves progressive discipline during the school day on campus; using conferences between staff, parents/guardians, and students; detention; student study teams or other assessment-related teams; and/or referral to school support services staff.

Required Parental Attendance

The Board believes that parental involvement plays an important role in the resolution of classroom behavior problems. The Board expects that teachers will communicate with parents/guardians when behavior problems arise

Whenever a student is suspended from a class because he/she committed an obscene act, engaged in habitual profanity or vulgarity, disrupted school activities, or otherwise willfully defied valid staff authority, the teacher of the class from which the student was suspended may require the student's parent/guardian to attend a portion of a school day in that class. After completing the classroom visit and before leaving the school premises, the parent/guardian shall also meet with the principal or designee. (Education Code 48900.1)

The Board encourages teachers, before requiring parental attendance, to make reasonable efforts to have the parent/guardian visit the class voluntarily. The teacher also may consider informing the parent/guardian about available resources that may provide help in the development of parenting skills. Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the student and the parent/guardian and to improve classroom behavior.

Parental attendance may be required on the day the student returns to class or within one week thereafter. The principal or designee shall contact any parents/guardians who do not respond to the request to attend school. The Board recognizes that parental compliance with this policy may be delayed, modified or prevented by serious illness/injury/disability, absence from town, or inability to get certain release time from work.

The teacher shall apply this policy uniformly to all students within the classroom. This policy shall apply only to a parent/guardian who actually lives with the student. (Education Code 48900.1)

District regulations and school-site rules for student discipline shall include procedures for implementing parental attendance requirements.

Parents/guardians shall be notified of this policy before it is implemented and at the beginning of each subsequent school year. (Education Code 48900.1, 35291, 48980)

Decision Not to Enforce Expulsion Order

In cases where expulsion is mandatory pursuant to Education Code 48915(c), the enforcement of an expulsion order shall not be suspended by the Board. In all other cases of expulsion, the order for expulsion may be suspended by the Board on a case-by-case basis, pursuant to the requirements of law.

Definitions

Suspension from school means the 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 the day prescribed by the Governing Board for students of the same grade level, nor referral to a certificated employee designated by the principal to advise students, nor removal from the class without reassignment to another class or program for the remainder of the period, without sending the student to the principal or designee.

2. Removal from a particular class shall not occur more than once every five school days. (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)

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee, and only one such person may be designated as a secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

School property, for the purposes described in Education Code 48900, includes, but is not limited to, electronic files and databases. (Education Code 48900(s))

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, suspension, and expulsion. Transfer students and their parents/guardians shall be notified at the time of enrollment. (Education Code 35291.5, 48900.1, 48980)

(cf. 5144 -Discipline)

(cf. 5145.6 Parental Notifications)

The notification shall include information about the ongoing availability of individual school rules and all district policies and regulations pertaining to student discipline. (Education Code 35291)

(cf. 5145.6 -Parental Notifications)

Grounds for Suspension and Expulsion

Students may be suspended or recommended for expulsion when the Superintendent, principal, or principal's designee at the school in which the student is enrolled determines that the student has done any of the acts listed below:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense. (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended but not expelled. However, a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code Board Policy Manual Redlands Unified School District 48900(s))

2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48900(b))

(cf. 5 131 - Conduct)

(cf. 5131. 7 - Weapons and Dangerous Instruments)

3. Unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of, any controlled substance as defined in the Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind. (Education Code 48900(c))

(cf. 5131.6 -Alcohol and Other Drugs)

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance or material and represented same as controlled substance, alcohol beverage or intoxicant. (Education Code 48900(d))

5. Committed or attempted to commit robbery or extortion. (Education Code 48900(e))

6. Caused or attempted to cause damage to school property or private property. (Education Code 48900(f))

7. Stole or attempted to steal school property or private property. (Education Code 48900(g))

8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products with prior approval of the principal or designee. (Education Code 48900(h))

9. Committed an obscene act or engaged in habitual profanity or vulgarity. (Education Code 48900(i))

10. Unlawfully possessed, or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code. (Education Code 48900(j))

11. Disrupted school activities or otherwise willfully defied 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))

12. Knowingly received stolen school property or private property. (Education Code 48900(1))
13. Possessed an imitation firearm, i.e., 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))
14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code 243.4. (Education Code 48900(n))
15. 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))
16. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug soma. (Education Code 48900(p))
17. Engaged in, or attempted to engage in, hazing as defined in Education Code 32050. (Education Code 48900(q))
18. Made terrorist threats against school officials and/or school property. (Education Code 48900.7)

A student in grades 4 through 12 is also subject to suspension or recommendation for expulsion when it is determined that he/she:

19. Committed sexual harassment as defined in Education Code 212.5. (Education Code 48900.2)
20. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 33032.5. (Education Code 48900.3)
21. 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 Glasswork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment (Education Code 48900.4)

(cf. 5145.3 -Nondiscrimination/Harassment)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent/principal or within any other school district, including but not limited to the following circumstances:

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.

The Superintendent/principal may use his/her discretion to provide alternatives to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program. (Education Code 48900(r))

cf. 5138 -Conflict Resolution/Peer Mediation)

Alternatives to suspension or expulsion will be used against students who are truant, tardy, or otherwise absent from assigned school activities.

(cf. 5113 -Absences and Excuses)

(cf. 5113.1 - Truancy)

Suspension from Class by a Teacher/Parental Attendance

A teacher may suspend any student from the teacher's class for any of the acts listed under "Grounds for Suspension and Expulsion" above for the day of the suspension and the day following. (Education Code 48910)

Suspension from class means the removal of a student from class by a teacher for the day of the suspension and the next day. A teacher may suspend a student from class and may also refer a student for consideration of suspension from school for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

When suspending a student from his/her class, the teacher shall immediately report this action to the principal and send the student to the principal for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been suspended.

As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the suspension. A counselor or psychologist should attend the conference if it is practicable, and a school administrator may attend if either the parent/guardian or teacher so request.

A suspended student shall not be returned to class during the period of suspension without the approval of the teacher of the class and the principal. (Education Code 48910)

A student suspended from class shall not be placed in another regular class during the period of suspension. However, if a student is assigned to more than one class per day, he/she may be placed in any 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 suspended student to complete any assignments and tests missed during the suspension. (Education Code 48913)

When a teacher requires a parent/guardian to attend school in accordance with Board Policy, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is required pursuant to law. (Education Code 48900.1)

1. This notice shall also tell the parent/guardian when his/her presence is expected and by what means he/she may arrange any necessary change.
2. The notice shall describe the protections afforded to the parent/guardian as an employee by Labor Code 230.7.
3. The notice shall state that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student.

The teacher shall remind the parent/guardian to meet with the principal or designee after completing the classroom visit and before leaving school premises.

Suspension By Superintendent, Principal Or Principal's Designee

A Superintendent, principal, or principal's designee may suspend a student from a school for any of the acts listed under "Grounds for Suspension and Expulsion" above for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

The Superintendent or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife, as defined in Education Code 48915(g), at another person.

3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.

4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item 414 under "Grounds for Suspension and Expulsion" above.

5. Possession of an explosive as defined in 18 USC 921.

Suspension may be imposed upon a first offense if the Superintendent, principal or designee determines the student violated items (i) - (v) listed in "Grounds For Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903 and 48912)

Suspension Procedures

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the principal or designee or the Superintendent or designee between 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 and the evidence against him/her and shall be given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911(b))

This conference may be omitted if the principal, designee or the Superintendent or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or school personnel. If the pre-suspension conference is not held, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference will be held as soon as the student is physically able to return to school. (Education Code 48911(c))

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior

A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee, who in turn will inform the Board.

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 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 also state the date and time when the student may return to school.

Should school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may also add that state law requires the parent/guardian to respond to such request without delay.

4. Parent/Guardian Conference: Whenever a student is suspended, school officials may meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such conference. The student may not be denied readmission solely because the parent/guardian failed to attend. (Education Code 48911)

5. Extension of Suspension: If the expulsion of a suspended student is being considered by the Board, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision. (Education Code 48911(g))

Any extension of the original period of suspension shall be 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. Extension of the suspension may be made only if 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(g))

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal or Principal's 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 if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. 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 may hold closed sessions if a public hearing would lead to disclosure of information which would violate a student's right to privacy under Education Code 49073-49079.

(cf. 9321 -Closed Session Purposes and Agendas)

The Board shall provide the student with written notice of the closed session by registered or certified mail. Upon receiving this notice the student 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 shall be in closed session. (Education Codes 48912)

Authority to Expel

A student may be expelled only by the Board. The Board shall expel, as required by law, any student found to have committed certain offenses listed below under "Mandatory Recommendation and Mandatory Expulsion."

The Board may also order a student expelled for any of the acts listed above under "Grounds for Suspension and Expulsion" upon recommendation by the principal, Superintendent, hearing officer or administrative panel, based on finding either or both of the following: (Education Code 48915(b) and (e))

1. That other means of correction are not feasible
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

Mandatory Recommendation For Expulsion

The principal, Superintendent or designee shall recommend a student's expulsion for any of the following acts, unless the principal or Superintendent or designee finds, and reports in writing to the Board, that expulsion is inappropriate due to particular circumstances which shall be set out in the report of the incident:

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife as defined in Education Code 48915(g), explosive 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 the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee.

Mandatory Recommendation And Mandatory Expulsion

The principal, Superintendent or designee shall recommend that the Board expel any student found at school or at a school activity off school grounds to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48915(c).1)
2. Brandishing a knife as defined in Education Code 48915(g) at another person. (Education Code 48915(c).2)
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058. (Education Code 48915(c).3)
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above. (Education Code 48915(c).4)
5. Possessing an explosive as defined in 18 USC 921.

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

Student's Right to Expulsion Hearing

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred. (Education Code 48918(a))

The student is entitled to 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 district's discretion. (Education Code 48918(a))

If the district finds it impracticable 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))

Once the hearing starts, all matters shall be pursued with reasonable diligence and concluded without unnecessary delay. (Education Code 48918(a))

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 48915.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Education Code 48915.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing.

2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies.
3. Have a closed hearing during the time he/she testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48915.5)

Written Notice of the Expulsion Hearing

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least ten 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. A parent/guardian of a student expelled for acts described in paragraphs through 4 of Education Code 48915(a), seeks enrollment in another district they must inform the new district of the student's status with the expelling district, pursuant to Education Code 48915.1.

(cf. 5119 -Students Expelled from Other Districts)

5. The opportunity for the student or the student's parent/guardian to appear in person or to employ and be represented by counsel.
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.

Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and Education Code 35145, the Board shall conduct the hearing or arrange for an alternative 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 request is made, the meeting shall be public

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to deliberate and determine if the student should be expelled. If the Board admits any other person to the closed session, the parent/guardian, the student, counsel of the student and counsel of the parent/guardian shall also be allowed to attend the closed session. (Education Code 48918(c))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to have his/her testimony heard in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including but not limited to videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

2. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, so long as a reasonably accurate written and complete transcription of the proceedings can be made. (Education Code 48918(g))

3. Presentation of Evidence: While technical rules of evidence do not apply to such hearings, 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 must be supported by substantial evidence that the student committed any of the above acts listed under "Grounds for Suspension and Expulsion" above. Findings of fact shall be based solely on the evidence at the hearing.

While no evidence 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) and

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 Witness: The following procedures shall be observed when hearings involve allegations of sexual assault or sexual battery by a student: (Education Code 48918)

- a. Any complaining witness shall be given five days' notice before being called to testify.
- b. Any complaining witness shall be entitled to have up to two adult support persons, including but not limited to a parent/guardian or legal counsel, present during his/her testimony.
- c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- e. If one or both support persons are also witnesses, the hearing shall be conducted according to Penal Code 868.5.
- f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard.

Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.

g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.

(1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.

(2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.

(3) The person conducting the hearing may:

- (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness.
- (b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
- (c) Permit one of the support persons to accompany the complaining witness to the witness stand.

6. Decision Within Ten Days: The Board's decision on whether to expel a student shall be made within ten school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

7. Decision Within 40 Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative 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. Alternatively, the Board may 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(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified in "Conduct of Expulsion Hearing" above.

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 student shall be immediately reinstated. (See "Reinstatement" below.) The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers and with the student's parent/guardian. (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))

The hearing officer or administrative panel may recommend that the Board suspend the expulsion for a period of one year. (See "Suspension of Expulsion" below.)

The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Stipulated Expulsions

It is the policy of the Redlands Unified School District that, where approved by the Superintendent or designee, parents/guardians may agree to the expulsion of their pupil by stipulation without necessity of a hearing. This process will expedite the pupil's school placement and may expedite the rehabilitation process.

A stipulated expulsion must be purely voluntary. No district administrator or staff member may coerce a pupil, parent or guardian into entering into such a stipulation. Parents/guardians will be given three calendar days to decide on a stipulated expulsion agreement.

If the parent/guardian requests a stipulated expulsion, the Superintendent or designee will promulgate the stipulated agreement. If at any time the parent/guardian decides not to pursue a stipulated agreement, the expulsion proceedings and timelines, extended by the length of the period for consideration of the stipulation, will be reinstated. The stipulated agreement will be presented to the Board for final consideration.

The stipulated agreement will include the terms and conditions of the expulsion order, including alternative placement and a rehabilitation plan to be completed before the student can be re-admitted to the district.

Final Action by the Board

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel, the final action to expel must be taken by the Board at a public meeting. (Education Code 48918(f)) The Board shall maintain a record of each expulsion, including its cause. Expulsion records shall be non-privileged, disclosable public records.

(cf. 9321.1 - Closed Session Actions and Reports)

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

Upon ordering the 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 an act listed under "Mandatory Recommendation and Mandatory Expulsion" above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. (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 of the student at the time of review for readmission.
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service and other rehabilitative programs.
3. Such other recommendations as the Board approves.

With parental 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)

Upon expulsion, a copy of readmission procedures will be made available to the student and his/her parent/guardian.

Written Notice to Expel

The Superintendent or designee shall send written notice of the decision to expel to the student or parent/guardian. The notice shall include the following:

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed in Education Code 48900(a)-(o), Education Code 48900.2-48900.4 and Education Code 48915(c). (Education Code 48900.8)
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian. (Education Code 48916)
3. Notice of the right to appeal such expulsion to the County Board of Education. (Education Code 48918)
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion. (Education Code 48918)
5. The notice also shall inform the student or parent/guardian of his/her 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)

Suspension of Expulsion

The Board, upon voting to expel a student, may suspend the enforcement of the expulsion order for not more than one calendar year. When deciding whether to suspend an expulsion, the Board shall take into account the following criteria:

1. The student's previous behavior.
2. The seriousness of the misconduct.
3. The student's attitude toward the misconduct and his/her willingness to follow a rehabilitation program.

The suspension of the enforcement of an expulsion shall be governed by the following: (Education Code 48917)

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.
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status.
3. The suspension of expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion" above or violates any of the district's rules and regulations governing student conduct.
4. When suspension of expulsion order is revoked, a student may be expelled under the terms of the original expulsion order
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expungement of any or all records of the expulsion proceedings.
6. Suspension 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 of Education.
7. 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 also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education. (Education Code 48918(i))

Right to Appeal

The student or parent/guardian is entitled to file an appeal of the Board's decision to the County Board of Education.

The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion action is suspended and the student is placed on probation. (Education Code 48919)

Post-Expulsion Placements

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 such a site.
3. Not housed at the school site attended by the student at the time of suspension.

(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for acts described in items #6 through # 13 and # 17 through # 19 under "Grounds for Suspension and Expulsion" above may be instead referred to a program of study that is provided at another comprehensive middle, junior, or senior high school, or at an elementary school.

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)

Reinstatement

When the Board accepts a recommendation against expulsion or makes its own decision after the hearing not to expel, the decision is final and the student shall be reinstated immediately. The Superintendent or designee shall place the student in any classroom program, other instructional program, rehabilitation program, or any combination of such programs following consultation with district personnel, including the teacher involved, and with the student's parent/guardian. (Education Code 48918(e))

Readmission

An expulsion order shall remain in effect until the Board may order the readmission of the student.

Readmission procedures shall be as follows:

1. A written request for review of expulsion action and request for readmission shall be submitted by the parent/guardian to the Superintendent or designee.
2. The Superintendent or designee will hold a conference with the parent/guardian and the student.
3. At the conference the conditions for readmission will be reviewed. The Superintendent or designee shall verify that the rehabilitation plan has been met.
4. School regulations will be reviewed and the student and parent/guardian will be asked to indicate in writing their willingness to comply with these regulations.
5. The Superintendent or designee will transmit the request for readmission to the Board, along with his/her recommendation. The Board shall consider the request in closed session if the information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it will be honored.
6. The Superintendent or designee will notify the student or parent/guardian, by registered mail, of the district's decision regarding readmission.
7. 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)
8. 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. (Education Code 48916)
9. 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)

Maintenance of Records

The Board will maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls, within five days of a written request by the admitting school. (Education Code 48900.8, 48918(k))

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district. (Education Code 48915.1)

cf. 5119 - Students Expelled from Other Districts)

(cf. 5125 - Student Records)

Notifications and Reports

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering or sale of controlled substances, alcohol, or intoxicants of any kind.

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 also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

Outcome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion.
2. The specific grounds for each recommended expulsion.
3. Whether the student was subsequently expelled.
4. Whether the expulsion order was suspended.
5. The type of referral made after the expulsion.
6. The disposition of the student after the end of the expulsion period.

Suspension and Expulsion/Due Process

Redlands Unified
Administrative Regulation
AR 51441
Adopted June 27, 1995
Students

Definitions

Suspension from school 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. Removal from a particular class shall not occur more than once every five school days.

Expulsion means removal of a student from the immediate supervision and control, or the general supervision, of school personnel. (Education Code 48925)

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian or legal counsel. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

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, suspension and expulsion. Transfer students and their parents/guardians shall be notified at the time of enrollment. (Education Code 35291.5, 48900.1, 48980)
(cf. 5144 - Discipline)

Notification shall include information about the ongoing availability of individual school rules and all district policies and regulations pertaining to student discipline. (Education Code 35291)
(cf. 5145.6 - Parental Notifications)

Grounds for Suspension and Expulsion

A student may be subject to suspension or expulsion when it is determined that he/she:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense. (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aide or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code 48900(s))

2. Possessed, sold, or otherwise furnished any firearm. Knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48900(b))
(cf. 5131 - Conduct)
(cf. 5131.7 - Weapons and Dangerous Instruments)

3. Unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of, any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind. (Education Code 48900(c))
(cf. 5131.6 - Alcohol and Other Drugs)

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid, substance or material and represented same as controlled substance, alcohol beverage or intoxicant. (Education Code 48900(d))

5. Committed or attempted to commit robbery or extortion. (Education Code 48900(e))

6. Caused or attempted to cause damage to school property or private property. (Education Code 48900(f))

7. Stole or attempted to steal school property or private property. (Education Code 48900(g))

8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products (Education Code 48900(h))

9. Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))

10. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5. (Education Code 48900(j))

11. Disrupted school activities or otherwise willfully defied 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))

12. Knowingly received stolen school property or private property. (Education Code 48900(l))

13. Possessed an imitation firearm, i.e., 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))

14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code 243.4. (Education Code 48900(n))

15. 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))

16. Made terrorist threats against school officials and/or school property. (Education Code 48900.7)

Pursuant to Education Code 48900.7, the making of a terrorist threat includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person or property damage in excess of \$1,000.00, 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.

A student in grades 4 through 12 is also subject to suspension or recommendation for expulsion when it is determined that he/she:

17. Committed sexual harassment as defined in Education Code 212.5. (Education Code 48900.2)

Pursuant to Education Code 48900.2 the conduct constitutes harassment when considered from the perspective of a reasonable person of the same gender as the victim to be 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.

(cf. 5145.7 - Sexual Harassment)

18. 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)

(cf. 5145.9 - Hate-Motivated Behavior)

Education Code 233 defines "hate violence" as any act punishable under Penal Code 422.6, 442.7 or 422.75. Such acts include injuring or intimidating another person, interfering with the exercise of a person's civil rights, or damaging a person's property because of the person's race, color, religion, ancestry, national origin, disability, gender or sexual orientation.

19. Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading student rights by creating an intimidating or hostile educational environment. (Education Code 48900.4)

(cf. 5145.3 - Nondiscrimination/Harassment)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent or principal or within any other school district, including but not limited to the following circumstances: (Education Code 48900)

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.

The Superintendent or principal may use his/her discretion to provide alternative to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program. (Education Code 48900(r))

Alternatives to suspension or expulsion will be used with students who are truant, tardy, or otherwise absent from assigned school activities.

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Truancy)

Removal from Class by a Teacher/Parental Attendance

A teacher may suspend any student from his/her class for the remainder of the day and the following day for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

A teacher also may refer a student to the principal or designee for consideration of suspension from school. (Education Code 48910)

When removing a student from his/her class, the teacher shall immediately report this action to the principal and send the student to the principal for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been removed.

As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the removal. A counselor or psychologist should attend the conference if it is practicable, and a school administrator may attend if either the parent/guardian or teacher so requests.

A student removed from class shall not be returned to class during the period of removal without the approval of the teacher of the class and the principal. (Education Code 48910)

A student removed from class shall not be placed in another regular class during the period of removal. However, if a student is assigned to more than one class per day, he/she may be placed in any other regular classes except those held at the same time as the class from which the student was removed. (Education Code 48910)

The teacher of any class from which a student is removed may require the student to complete any assignments and tests missed during the removal. (Education Code 48913)

Pursuant to Board policy, a teacher may provide that the parent/guardian of a student whom the teacher has removed attend a portion of a school day in his/her child's classroom. When a teacher makes this request, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is requested pursuant to law. (Education Code 48900.1)

This notice shall also:

1. Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternate date.
2. Describe the legal protections afforded to the parent/guardian as an employee under Labor Code 230.7.
3. State that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student.
4. Ask the parent/guardian to meet with the principal after the visit and before leaving school, as required by Education Code 48900.1.

Suspension by Superintendent, Principal or Principal's Designee

The Superintendent, principal or principal's designee may suspend a student from a school for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

The Superintendent or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife, as defined in Education Code 48915(g), at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion".
5. Possession of an explosive as defined in 18 USC 921.

Suspension also may be imposed upon a first offense if the Superintendent, principal or designee determines the student violated items #1-5 listed in "Grounds for Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903, 48912)

The Superintendent or designee may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which a student may be suspended in any school year. (Education Code 48903)

Suspensions shall be initiated according to the following procedures:

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the principal, designee or the Superintendent 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 and the evidence against him/her; the student shall be given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911(b))

This conference may be omitted if the principal, designee or the Superintendent determines that an emergency situation exists. An "emergency situation" involves 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 a conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference will be held as soon as the student is physically able to return to school. (Education Code 48911(c))

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee.

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 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 also state the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may add that state law requires the parent/guardian to respond to such requests without delay.

4. Parent/Guardian Conference: Whenever a student is suspended, school officials may meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such conference. The student may not be denied readmission solely because the parent/guardian failed to attend. (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. (Education Code 48911(g))

Any extension of the original period of suspension shall be 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. Extension of the suspension may be made only if 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)

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal or Principal's 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 if any of the acts listed in “Grounds for Suspension and Expulsion” occurred. 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 closed sessions if a public hearing would lead to disclosure of information violating a student’s right privacy under Education Code 49073-49079.

(cf. 9321 - Closed Session Purposes and Agendas)

The Board shall provide the student and his/her parent/guardian with written notice of the closed session by or certified mail. 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 Codes 35146, 48912)

On-Campus Suspension Program

Students for whom an expulsion action has not been initiated and who pose no imminent danger or threat to the school may be assigned to a separate, supervised suspension classroom for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

1. The supervised suspension classroom shall be staffed in accordance with law.
2. The student shall have access to appropriate counseling services.
3. The supervised suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.
4. Each student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom. The teacher 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 a supervised 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 shall be made in writing. (Education Code 48911.1)

Authority to Expel

A student may be expelled only by the Board. The Board shall expel, as required by law, any student found to have committed certain offenses listed below under “Mandatory Recommendation and Mandatory Expulsion.”

The Board also may order a student expelled for any of the acts listed under “Grounds for Suspension and Expulsion” upon recommendation by the principal, Superintendent, hearing officer or administrative panel, based on finding 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.

Mandatory Recommendation for Expulsion

Unless the principal, Superintendent or designee finds that expulsion is inappropriate due to particular circumstances, the principal, Superintendent or designee shall recommend a student’s expulsion for any of the following acts: (Education Code 48915 (a))

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife as defined in Education Code 48915(g), explosive or other dangerous object of no reasonable use to the student.
3. Unlawful possession of any controlled substance, as listed in the Health and Safety Code 11053-11058, except for the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee.

Mandatory Recommendation and Mandatory Expulsion

Note: The Attorney General has determined, in 80 Ops.Cal. Atty. Gen. 347 (1997), that a district may not adopt a zero tolerance policy mandating expulsion of a student for a first offense of possession of a controlled substance or alcohol.

The principal, Superintendent or designee shall recommend that the Board expel any student found at school or at a school activity to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife as defined in Education Code 48915(g) at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above.
5. Possessing an explosive as defined in 18 USC 921.

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

The initial recommendation for consideration of expulsion is that of the school principal or the Superintendent. Designees may not make this type of recommendation.

The recommendation for consideration of expulsion shall be submitted to the Director, Office of Student Services, who will review the material and recommend:

1. Reassignment to appropriate regular education program.
2. Refer student to Alternative Program; i.e., Community School, Independent Study, Continuation or Opportunity School, or other district programs.
3. Refer the matter to the Discipline Review Panel for further consideration.

When a case is referred to the discipline Review Panel, the panel shall question school personnel who have information on the incident and the behavior record of the student charged and weighs the evidence presented.

The panel shall, in the case of an expulsion consideration, weigh information presented to determine:

- a. Is the evidence sufficient to support consideration by the expulsion panel?
- b. Has the district, through the schools involved, considered or utilized alternatives to expulsion when possible?
- c. Have due process procedures been adhered to?

The recommendation shall be either to proceed with the expulsion or to utilize an existing practical alternative in lieu of expulsion.

If the district (school) has not adhered to due process requirements, the student shall be returned to school immediately.

If the Discipline Review Panel meets to consider a matter other than an expulsion, it shall provide its best judgment as to an effective alternative program or plan to action.

The recommendation of the Discipline Review Panel shall be forwarded to the Director, Office of Student Services, who shall then review the facts, concur, veto or modify the recommendation.

4. That an expulsion panel be convened.

At the time a recommendation for expulsion is submitted, a hearing shall be scheduled by the Superintendent or designee to determine whether the suspension shall be extended. If the decision is to extend the suspension, the period of time shall be until the Board has rendered a decision or until the expulsion process is otherwise terminated.

The extension of suspension shall be based upon determination by the Superintendent or designee that the presence of the student at the school or in an alternative school placement would cause a danger to persons or property or a threat of disrupting the instructional process. This extension shall be imposed only after the student and the parent/guardian have been given the opportunity to be present at a hearing conducted by the Superintendent or designee. At this time, the student and parent/guardian shall be given the opportunity to be heard and present any information that might bear upon the decision.

Materials which support the decision of the person recommending the expulsion shall be prepared and submitted to the Office of Student Services. The departments of Attendance, Guidance, Special Education and/or Health may be requested to assist in the preparation of this material.

Student's Right to Expulsion Hearing

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred. (Education Code 48918 (a))

The student is entitled to 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 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 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 no 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))

Waiver of Hearing (Default Proceedings)

If the parent/guardian agrees that their son/daughter behaved essentially in the manner stated in the principals letter recommending expulsion and that such behavior constitutes a violation of the California Education Code, Section 48900, 48900.2, 48900.3, 48900.4, 48900.7 and/or 48915 a suspendable/expellable offense, the parent/guardian may request to waive the Administrative Hearing Panel.

When the parent/guardian agrees to waive the Administrative Hearing Panel, they also waive all notification and timelines related to the expulsion hearing process, along with their rights to appeal the determination of the Board.

The signed affidavit and findings of fact will be submitted to the Board for their approval. The Board has the discretionary power to accept, reject, or modify all recommendations.

Rights of Complaining Witness

An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental or emotional needs of a student who is the complaining witness. (Education Code 48918.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to all the following: (Education Code 48918.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing.
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies.
3. Have a closed hearing during the time he/she testifies.

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48918.5)

Written Notice of the Expulsion Hearing (Education Code 48918(b))

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least 10 calendar days before the date of the hearing. The notice shall include: (Education Code 48900.8, 48918 (b))

1. The date and place of the hearing.
2. A statement of the specific facts, charges and offense upon which the proposed expulsion is based.
3. A copy of district disciplinary rules which relate to the alleged violation.
4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment. This obligation applies when a student is expelled for acts other than those described in Education Code 48915 (a) or (c).
(cf. 5119 - Students Expelled from other Districts)

5. The opportunity for the student or the student's parent/guardian to appear in person and/or be represented by legal counsel or by a non-attorney advisor.

Legal counsel means an attorney or lawyer who is admitted to the practice of law in California and is an active member of the State Bar of California.

Non-attorney advisor 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.

Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and 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 request is made, the meeting shall be public, unless another student's privacy rights would be violated.

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to determine if the student should be expelled. If the Board admits any other person to the closed session, the parent/guardian, the student, and the counsel of the student, shall also be allowed to attend the closed session. (Education Code 48918(c))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to have his/her testimony heard in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including but not limited to videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

2. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate written and complete transcription of the proceedings can be made. (Education Code 48918(g))

3. Subpoenas: Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with the Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20, formerly 11525. (Education Code 48918(i))

Any objection raised by the student or the Superintendent or designee to the issuance of subpoenas may be considered by the Board in closed session, or in open session if so requested by the student, before the meeting. The Board's decision in response to such an objection shall be final and binding. (Education Code 48918(i))

If the Board determines, or if the hearing officer or administrative panel finds and submits to the Board, that a witness would be subject to unreasonable risk of harm by testifying at the hearing, a subpoena shall not be issued to compel the personal attendance of that witness at the hearing. However, that witness may be compelled to testify by means of a sworn declaration as described in item #4 below. (Education Code 48918(i))

4. Presentation of Evidence: While technical rules of evidence do not apply to expulsion hearings, 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 must be supported by substantial evidence that the student committed any of the acts listed in "Grounds for Suspension and Expulsion" above.

Findings of fact shall be based solely on the evidence at the hearing. While no evidence 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) and (h))

In cases where a search of a student's person or property has occurred, evidence describing the reasonableness of the search shall be included in the hearing record.

5. Testimony by Complaining Witnesses: The following procedures shall be observed when hearings involve allegations of sexual assault or sexual battery by a student: (Education Code 48918)

- a. Any complaining witness shall be given five days' notice before being called to testify.
- b. Any complaining witness shall be entitled to have up to two adult support persons, including but not limited to a parent/guardian or legal counsel, present during his/her testimony.
- c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- e. If one or both support persons are also witnesses, the hearing shall be conducted according to Penal Code 868.5.
- f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.
- g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.
 - (1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.
 - (2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.
 - (3) The person conducting the hearing may:
 - (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness.
 - (b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
 - (c) Permit one of the support persons to accompany the complaining witness to the witness stand.

6. Decision Within 10 Days: The Board's decision on whether to expel a student shall be made within 10 school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

7. Decision Within 40 Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

Instead of conducting an expulsion hearing itself, the Board may contract with the county hearing officer or with the Office of Administrative Hearings of the State of California for a hearing officer. Alternatively, the Board may 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(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified in "Conduct of Expulsion Hearing."

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 student shall be immediately reinstated. (See "Reinstatement.") The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers, and with the student's parent/guardian. (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 for a period of one year. (See "Decision Not to Enforce Expulsion Order" below.)

The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

The Discipline Review Panel

The Discipline Review Panel will consist of elementary educators when a review is being made of an elementary student and of secondary educators when a review is being made of secondary student.

1. The Discipline Review Panel shall hear the following types of disciplinary cases:
 - a. Requests for expulsion from site principals or the Superintendent.
 - b. School site administrative requests for assistance (non-expulsion situations).
2. Each discipline review panel shall consist of three certificated persons plus a chairperson and shall consist of elementary educators when a review is being made of an elementary student and of secondary educators when a review is being made of a secondary student. A panelist may not serve on any panel involving a student who is currently attending the school in which he/she is assigned. A representative from Student Services shall be a nonvoting member of each panel.

A chairperson and assistant chairperson, to serve when the chairperson is unable to serve, shall be appointed by the Superintendent or designee and shall serve at his/her pleasure. Neither shall be a member of the Student Services staff.

A pool of panelists shall be established which shall be composed of personnel who have served or are currently serving as members of administrative expulsion panels. The committee chairman shall select members to serve on individual panels.

The meetings of the discipline review panel are open to school district personnel only.

The duties of the Discipline Review Panel are as follows:

1. The chairperson shall call a meeting of the panel as soon as possible, but no later than 10 school days after the receipt of notice of a pending case.
2. A recommendation must be forwarded to the Director, Office of Student Services, within three days of the review hearing.
3. In the event a member of the committee cannot be present at a meeting, the Director, Office of Student Services, will appoint an alternate from the pool to attend.

Final Action by the Board

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel, the final action to expel shall be taken by the Board at a public meeting. (Education Code 48918(j))

(cf. 9321.1 - Closed Session Actions and Reports)

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

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 an act listed under “Mandatory Recommendation and Mandatory Expulsion” above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. (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 of the student at the time of review for readmission.
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service and other rehabilitative programs.

With parental 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 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 in Education Code 48900 (a)-(o), Education Code 48900.2-48900.4, Education Code 48915 (c) and (Education Code 48900.8).
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian. (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Governing Board. (Education Code 48918)
4. Notice of the alternative educational placements 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 Not to Enforce Expulsion Order

In accordance with Board policy, when deciding whether to suspend the enforcement of an expulsion, the Board shall take into account the following criteria:

1. The student’s pattern of behavior.
2. The seriousness of the misconduct.
3. The student’s attitude toward the misconduct and his/her willingness to follow a rehabilitation program.

The suspension of the enforcement of an expulsion shall be governed by the following: (Education Code 48917)

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.
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status.
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” above or violates any of the district’s rules and regulations governing student conduct.
4. When the suspension of the enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order.
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings.
6. 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 County Board of Education.

7. 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 also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education. (Education Code 48918 (j))

Right to Appeal

The student or parent/guardian is entitled to file an appeal of the Board's decision to the County Board of Education. The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion action is suspended and the student is placed on probation. (Education Code 48919)

Post-Expulsion Placements

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 such a site.
3. Not housed at the school site attended by the student at the time of suspension.

(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for acts described in items #6 through #13 and #17 through #19 under "Grounds for Suspension and Expulsion" may be instead 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

Readmission procedures shall be as follows:

1. On the date set by the Board when it ordered the expulsion, the district shall consider readmission of the student. (Education Code 48916)
2. 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.
3. The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session if information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it shall be honored.
4. 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.
5. 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)
6. 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. (Education Code 48916)
7. 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)

Maintenance of Records

The Board shall maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls, within five days of a written request by the admitting school. (Education Code 48900.8, 48918(k))

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district. (Education Code 48915.1)

(cf. 5119 - Students Expelled from Other Districts)

(cf. 5125 - Student Records)

Notifications 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 also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering or sale of controlled substances, alcohol, or intoxicants of any kind. (Education Code 48902)

Ouome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion.
2. The grounds for each recommended expulsion.
3. Whether the student was subsequently expelled.
4. Whether the expulsion order was suspended.
5. The type of referral made after the expulsion.
6. The disposition of the student after the end of the expulsion period.

Regulation: REDLANDS UNIFIED SCHOOL DISTRICT

Approved: June 27, 1995, Redlands, California

(D) Procedures to Notify Teachers of Dangerous Pupils (EC 49079)

(a) A school district shall inform the teacher of each pupil who has engaged in, or is reasonably suspected to have engaged in, any of the acts described in any of the subdivisions, except subdivision (h), of Section 48900 or in Section 48900.2, 48900.3, 48900.4, or 48900.7 that the pupil engaged in, or is reasonably suspected to have engaged in, those acts. The district shall provide the information to the teacher based upon any records that the district maintains in its ordinary course of business, or receives from a law enforcement agency, regarding a pupil described in this section.

(b) A school district, or school district officer or employee, is not civilly or criminally liable for providing information under this section unless it is proven that the information was false and that the district or district officer or employee knew or should have known that the information was false, or the information was provided with a reckless disregard for its truth or falsity.

(c) An officer or employee of a school district who knowingly fails to provide information about a pupil who has engaged in, or who is reasonably suspected to have engaged in, the acts referred to in subdivision (a) is guilty of a misdemeanor, which is punishable by confinement in the county jail for a period not to exceed six months, or by a fine not to exceed one thousand dollars (\$1,000), or both.

(d) For the 1994-95 school year, the information provided shall be from the previous two school years. For the 1996-97 school year and each school year thereafter, the information provided shall be from the previous three school years.

(e) Any information received by a teacher pursuant to this section shall be received in confidence for the limited purpose for which it was provided and shall not be further disseminated by the teacher.

Ca. Educ. Code § 49079

Amended by Stats 2000 ch 345 (AB 29), s 2, eff. 1/1/2001.

(E) Sexual Harassment Policies (EC 212.6 [b])

Policy 4119.11: Sex Discrimination and Sex-Based Harassment

The Governing Board is committed to providing a safe work environment that is free of harassment and intimidation. The Board prohibits sexual harassment against district employees by anyone, in any manner, and prohibits retaliatory action or behavior against any persons who complains, testifies, or otherwise participates in the complaint process established pursuant to this policy and accompanying administrative regulation. This policy shall apply to all district employees, interns, volunteers, contractors, job applicants, and other persons with an employment relationship with the district.

(cf. 0410 - Nondiscrimination in District Programs and Activities) (cf. 4030 - Nondiscrimination in Employment)

Sexual harassment includes, but is not limited to, harassment that is based on the sex, gender, gender identity, gender expression, or sexual orientation of the victim and harassment based on pregnancy, childbirth, or related medical conditions.

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation, and correction of sexual harassment, including but not limited to:

1. Providing training to all staff in accordance with law and administrative regulation.
2. Publicizing and disseminating the district's sexual harassment policy to staff.
3. Ensuring prompt, thorough, equitable, and fair investigation of complaints
4. Taking timely and appropriate corrective/remedial actions which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments.

The Superintendent or designee shall periodically evaluate the effectiveness of the district's strategies to prevent and address harassment. Such evaluation may involve conducting regular anonymous employee surveys to assess whether harassment is occurring or is perceived to be tolerated, partnering with researchers or other agencies with the needed expertise to evaluate the district's prevention strategies, and using any other effective tool for receiving feedback on systems and/or processes. As necessary, changes shall be made to the harassment policy, complaint procedures, or training.

Sexual Harassment Reports and Complaints

Any district employee who feels that he/she has been sexually harassed in the performance of their district responsibilities or who has knowledge of any incident of sexual harassment by or against another employee shall immediately report the incident to his/her supervisor, the principal, other district administrator, or the district's Title IX Coordinator. However, an employee may bypass his/her supervisor in filing a complaint if the supervisor is the subject of the complaint. A supervisor, principal, or district administrator who receives a harassment complaint shall promptly notify the Title IX Coordinator.

Once notified, the Title IX Coordinator shall ensure the complaint or allegation is addressed through AR 4119.12/4219.12/4319.12 – Title IX Sexual Harassment Complaint Procedures or AR 4030- Nondiscrimination in Employment, as applicable. Because a complaint or allegation that is dismissed or denied under the Title IX complaint procedure may still be subject to consideration under state law, the Title IX Coordinator shall ensure that any implementation of AR 4119.12/4219.12/4319.12 concurrently meets the requirements of AR 4030.

Notwithstanding the above, BP/AR 4119.12/4219.12/4319.12 and 4030 shall under no circumstances be used to resolve complaints brought by, on behalf of, or against students. All complaints brought by, on behalf of, or against students that allege “sexual harassment” as that term is defined in the federal regulations implementing Title IX of the Education Amendments of 1972 (see 34 C.F.R. § 106, et seq.) shall be investigated and resolved under BP/AR 5145.71. All complaints brought by, on behalf of, or against students that do not meet the definition of “sexual harassment” as set forth in the Title IX implementing regulations shall be investigated and resolved under BP/AR 1312.3.

(cf. 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaints)

The Title IX Coordinator shall offer supportive measures to the complainant and respondent, as deemed appropriate under the circumstances.

Upon investigation of a sexual harassment complaint, any district employee who engages, or participates in sexual harassment, or who aids, abets, incites, compels, or coerces another to commit sexual harassment in violation of this policy is subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Reports) (cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4218 -

Dismissal/Suspension/Disciplinary Action)

Regulation 4119.12: Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures

The complaint procedures described in this administrative regulation shall be used to address any complaint governed by Title IX of the Education Amendments of 1972 alleging that a district employee, while in an education program or activity in which a district school exercises substantial control over the context and respondent, was subjected to one or more of the following forms of sexual harassment: (34 CFR 106.30, 106.44)

1. A district employee conditioning the provision of a district aid, benefit, or service on a person's participation in unwelcome sexual conduct
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291 (cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

All other sexual harassment complaints or allegations shall be investigated and resolved in accordance with AR 4030

- Nondiscrimination in Employment. The determination of whether the allegations meet the definition of sexual harassment under Title IX shall be made by the district's Title IX Coordinator.

(cf. 4030 - Nondiscrimination in Employment)

Because the complainant has a right to pursue a complaint under AR 4030 for any allegation that is dismissed or denied under the Title IX complaint procedure, the Title IX Coordinator shall ensure that all requirements and timelines for AR 4030 are concurrently met while implementing the Title IX procedure.

Reporting Allegations/Filing a Formal Complaint

An employee who is the alleged victim of sexual harassment may submit a report of sexual harassment to the district's Title IX Coordinator using the contact information listed in AR 4119.11/4219.11/4319.11 - Sexual Harassment or to the employee's direct supervisor or other district administrator, who shall forward the report to the Title IX Coordinator within one day of receiving the report. Upon receiving such a report, the Title IX Coordinator shall inform the complainant of the right to file a formal complaint and the process for filing a formal complaint.

A formal complaint, with the complainant's physical or digital signature, may be filed with the Title IX Coordinator in person, by mail, by email, or by any other method authorized by the district. (34 CFR 106.30)

Even if the alleged victim chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations when a safety threat exists. In addition, the Title IX Coordinator may file a formal complaint in other situations as permitted under the Title IX regulations, including as part of the district's obligation to not be deliberately indifferent to known allegations of sexual harassment. In such cases, the Title IX Coordinator shall provide the alleged victim notices as required by the Title IX regulations at specific points in the complaint process.

The Title IX Coordinator, investigator, decision-maker, or a facilitator of an informal resolution process shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. Such persons shall receive training in accordance with 34 CFR 106.45. (34 CFR 106.45)

Supportive Measures

Upon receipt of a report of Title IX sexual harassment, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures and shall consider the complainant's wishes with respect to the supportive measures implemented. Supportive measures shall be offered as appropriate, as reasonably available, and without charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures shall be nondisciplinary, nonpunitive, and not unreasonably burden the other party, including measures designed to protect the safety of all parties or the district's educational environment or to deter sexual harassment. Supportive measures may include, but are not limited to, counseling, extensions of deadlines, modifications of work schedules, mutual restrictions on contact, changes in work locations, leaves of absence, increased security, and monitoring of certain areas of the campus. (34 CFR 106.30, 106.44)

The district shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the district's ability to provide the supportive measures. (34 CFR 106.30)

Emergency Removal

If a district employee is the respondent, the employee may be placed on administrative leave during the pendency of the formal complaint process. (34 CFR 106.44)

If the respondent is a student, the district may, on an emergency basis, remove the student from the district's education program or activity, provided that the district conducts an individualized safety and risk analysis, determines that removal is justified due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations, and provides the student with notice and an opportunity to challenge the decision immediately following the removal. This authority to remove a student does not modify a student's rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973. (34 CFR 106.44)

Dismissal of Complaint

The Title IX Coordinator shall dismiss a formal complaint if the alleged conduct would not constitute sexual harassment as defined in

34 CFR 106.30 even if proved. The Title IX Coordinator shall also dismiss any complaint in which the alleged conduct did not occur in the district's education program or activity or did not occur against a person in the United States, and may dismiss a formal complaint if the complainant notifies the district in writing that the complainant would like to withdraw the complaint or any allegations in the complaint, the respondent is no longer employed by the district, or sufficient circumstances prevent the district from gathering evidence sufficient to reach a determination with regard to the complaint. (34 CFR 106.45)

Upon dismissal, the Title IX Coordinator shall promptly send written notice of the dismissal and the reasons for the dismissal simultaneously to the parties and shall inform them of their right to appeal the dismissal of a formal complaint or any allegation in the complaint in accordance with the appeal procedures described in the section "Appeals" below. (34 CFR 106.45)

If a complaint is dismissed, the conduct may still be addressed pursuant to AR 4030 - Nondiscrimination in Employment as applicable.

Informal Resolution Process

When a formal complaint of sexual harassment is filed, the district may offer an informal resolution process, such as mediation, at any time prior to reaching a determination regarding responsibility. The district shall not require a party to participate in the informal resolution process or to waive the right to an investigation and adjudication of a formal complaint. (34 CFR 106.45)

The district may facilitate an informal resolution process provided that the district: (34 CFR 106.45)

1. Provides the parties with written notice disclosing the allegations, the requirements of the informal resolution process, the right to withdraw from the informal process and resume the formal complaint process, and any consequences resulting from participating in the informal resolution process, including that records will be maintained or could be shared.
2. Obtains the parties' voluntary, written consent to the informal resolution process

Written Notice

If a formal complaint is filed, the Title IX Coordinator shall provide the known parties with written notice of the following: (34 CFR 106.45)

1. The district's complaint process, including any informal resolution process
2. The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known. Such notice shall be provided with sufficient time for the parties to prepare a response before any initial interview. If, during the course of the investigation, new Title IX allegations arise about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.
3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process
4. The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an attorney, and the ability to inspect and review evidence
5. The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process

The above notice shall also include the name of the investigator, facilitator of an informal process, and decision-maker and shall inform the parties that, if at any time a party has concerns regarding conflict of interest or bias regarding any of these persons, the party should immediately notify the Title IX Coordinator.

Investigation Procedures

During the investigation process, the district's designated investigator shall: (34 CFR 106.45)

1. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and

exculpatory evidence

2. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence
3. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney
4. Not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding, although the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as the restrictions apply equally to both parties
5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate
6. Send in an electronic format or hard copy to both parties and their advisors, if any, the evidence obtained as part of the investigation that is directly related to the allegations raised in the complaint, and provide the parties at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report
7. Objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and determine credibility in a manner that is not based on a person's status as a complainant, respondent, or witness
8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review and written response

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. (34 CFR 106.45)

Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.

If the complaint is against an employee, rights conferred under an applicable collective bargaining agreement shall be applied to the extent they do not conflict with the Title IX requirements.

Written Decision

The Superintendent shall designate an employee as the decision-maker to determine responsibility for the alleged conduct, who shall not be the Title IX Coordinator or a person involved in the investigation of the matter. (34 CFR 106.45)

After the investigative report has been sent to the parties but before reaching a determination regarding responsibility, the decision-maker shall afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party.

The decision-maker shall issue, and simultaneously provide to both parties, a written decision as to whether the respondent is responsible for the alleged conduct. (34 CFR 106.45)

The written decision shall be issued within 60 calendar days of the receipt of the complaint.

The timeline may be temporarily extended for good cause with written notice to the complainant and respondent of the extension and the reasons for the action. (34 CFR 106.45)

In making this determination, the decision-maker shall use the "preponderance of the evidence" standard for all formal complaints of sexual harassment. (34 CFR 106.45)

The written decision shall include the following: (34 CFR 106.45)

1. Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR 106.30

2. A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the district includes hearings as part of the grievance process
3. Findings of fact supporting the determination
4. Conclusions regarding the application of the district's code of conduct or policies to the facts
5. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's educational program or activity will be provided by the district to the complainant
6. The district's procedures and permissible bases for the complainant and respondent to appeal

Appeals

Either party may appeal the district's decision or dismissal of a formal complaint or any allegation in the complaint, if the party believes that a procedural irregularity affected the outcome, new evidence is available that could affect the outcome, or a conflict of interest or bias by the Title IX Coordinator, investigator(s), or decision-maker(s) affected the outcome. If an appeal is filed, the district shall: (34 CFR 106.45)

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties
2. Ensure that the decision-maker(s) for the appeal is trained in accordance with 34 CFR 106.45 and is not the same decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator
3. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome
4. Issue a written decision describing the result of the appeal and the rationale for the result
5. Provide the written decision simultaneously to both parties

An appeal must be filed in writing within 10 calendar days of receiving the notice of the decision or dismissal, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered.

A written decision shall be provided to the parties within 20 calendar days from the receipt of the appeal.

Either party has the right to file a complaint with the U.S. Department of Education's Office for Civil Rights within 180 days of the date of the most recently alleged misconduct.

The complainant shall be advised of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal antidiscrimination laws, if applicable.

Remedies

When a determination of responsibility for sexual harassment has been made against the respondent, the district shall provide remedies to the complainant. Such remedies may include the same individualized services described above in the section "Supportive Measures," but need not be nondisciplinary or nonpunitive and need not avoid burdening the respondent. (34 CFR 106.45)

Disciplinary Actions

The district shall not impose any disciplinary sanctions or other actions against a respondent, other than supportive measures as described above in the section "Supportive Measures," until the complaint procedure has been completed and a determination of responsibility has been made. (34 CFR 106.44)

When an employee is found to have committed sexual harassment or retaliation, the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Report)

(cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4119.11/4219.11/4319.11 - Sexual Harassment) (cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Record-Keeping

The Superintendent or designee shall maintain, for a period of seven years: (34 CFR 106.45)

1. A record of all reported cases and Title IX investigations of sexual harassment, any determinations of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary sanctions imposed, any remedies provided to the complainant, and any appeal or informal resolution and the results therefrom.
2. A record of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment, including the district's basis for its conclusion that its response was not deliberately indifferent, the measures taken that were designed to restore or preserve equal access to the education program or activity, and, if no supportive measures were provided to the complainant, the reasons that such a response was not unreasonable in light of the known circumstances.
3. All materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process. The district shall make such training materials publicly available on its web site, or if the district does not maintain a web site, available upon request by members of the public.

(cf. 1113 - District and School Web Sites) (cf. 3580 - District Records)

(F) School-wide Dress Code Relating to Gang-Related Apparel (EC 35183)

Policy 5132.16: Student Dress Guidelines

The Governing Board believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Students' clothing must not present a health or safety hazard or a distraction which would interfere with the educational process.

Students and parents/guardians shall be informed about dress and grooming standards at the beginning of the school year and whenever these standards are revised. A student who violates these standards shall be subject to appropriate 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 dress code may be included as part of the school safety plan and must be presented to the Board for approval. The Board shall approve the plan upon determining that it is necessary to protect the health and safety of the school's students.

Uniforms

The Board recognizes that, in order to promote student safety and discourage peer rivalry and/or gang activity, the principal, staff and parent/guardian at a school site may wish to establish a reasonable dress code, which may include voluntary school uniforms.

Dress codes, which include voluntary school uniforms, may be included as part of the school safety plan submitted as required.

The Superintendent or designee shall establish procedures that schools, parents and guardians will follow if they decide to participate with the voluntary school uniform policy. Students shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardian decide not to participate.

The Governing Board feels that there is nothing inherently wrong with dress or color of dress, but when student's dress serves to intimidate or impede the rights of other students it will be determined that dress is in violation of this policy. A student may not remain at school dressed in a manner which (1) creates a safety hazard for said student or for other students at school, and/or (2) when the dress constitutes a serious and unnecessary distraction to the learning process or tends to disrupt campus order

When the site administrator/designee determines that a student's attire is in violation of this policy, the student will be required to modify his/her clothing and/or apparel in such a manner that it no longer violates this policy. If necessary, the student may be taken or sent home with parental permission to modify unacceptable dress and return to school. Refusal to take steps as described in this policy shall be cause for disciplinary action against the student. Any such disciplinary action shall be handled pursuant to existing student disciplinary policy

Parents/guardians have primary responsibility to see that students are properly attired for school. School district personnel have the responsibility for maintaining proper and appropriate conditions conducive to learning. Hence, the following guidelines will be implemented in all district schools.

1. Shoes will be worn at all times. A substantial sole is required and enclosed toe and heel footwear are highly encouraged.
2. Extremely brief garments that are distracting to the educational environment are not appropriate. Clothing shall be sufficient to conceal undergarments at all times.
3. Clothing or accessories shall be free of writing, pictures or any other insignia which are crude, violent, obscene or sexually suggestive or which advocate racial, ethnic or religious prejudice or the use of tobacco, drugs or alcohol.
4. Earrings, jewelry, or accessories which present a safety hazard to the wearer or others are not suitable for school wear.
5. Only prescription sunglasses may be worn in class. Other types of sunglasses may be worn on campus outside of class.
6. Identified gang attire such as bandannas, haircuts or hair rollers, or any gang paraphernalia are prohibited.

Students are allowed to wear sun protective clothing, including hats, while outdoors during the school day. Each school site will develop a policy indicating the type of sun protective hats that are permitted.

No grade of a student participating in a physical education class shall be adversely affected if the student does not wear standardized physical education apparel because of circumstances beyond the student's control. (Education Code 49066) All clothing worn during physical education shall meet reasonable safety standards.

The purpose of adopting these Student Dress Guidelines is not to infringe on any individual student's rights to freedom of expression, but rather to encourage students to dress appropriately and come to school properly prepared for participating in the educational process.

Gang-Related Apparel

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed as needed and updated as necessary.

Uniforms

In schools where a majority of parents respond and indicate on a survey that they desire to establish a voluntary school-wide uniform dress code, the principal, staff and the parents/guardians of the individual school site shall:

1. Jointly select the specific uniform to be worn. (Education Code 35183)
2. Describe the uniform parts and identify local vendors who sell those pieces of clothing. A description of the implementation of the voluntary uniform dress code will be submitted to the superintendent's designee including:
 - a. The process for parent notification
 - b. Positive procedures that will be used to encourage students to participate with the voluntary uniform dress code
3. A description of the uniform and a list of costs for each competitively priced item of clothing as provided by a variety of vendors will be sent to parents.
4. Parents will be notified that this is a voluntary uniform dress code and that students not participating shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardians so decide.

Parent Notification

The principal shall give parents/guardian at least six months notice before a school site implements a voluntary school uniform dress code. (Education Code 35183)

(G) Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School (EC 35294.2)

(H) A Safe and Orderly School Environment Conducive to Learning (EC 35294.2)

Component:

Physical Environment

The Schools' Location and Physical Environment

Mission Elementary School is located in the Loma Linda Sheriff area of San Bernardino County, which has an average crime rate and moderate poverty level. The immediate area around the school includes the corner of California Street and Redlands Blvd., two main thoroughfares of the Loma Linda/Redlands cities' border. The school neighbors an RV Park to the west, construction to the south in development for residential and shopping communities, a drainage canal to the east, and several apartments to the north and east. Present safety hazards include significant traffic on Redlands Blvd., along with heavy traffic on California St. A majority of students are transported on district buses.

Description of School Grounds

The school site encompasses 6 acres. The grounds are grass, concrete, and asphalt, including basketball and volleyball courts, baseball diamonds, and a lined track. There are several wings and/or clusters of classrooms, including 26 classrooms and 6 relocatable classrooms. Other ancillary structures include a large Multipurpose room.

During the school day, staff members and administrators shall provide campus supervision. Identified problem areas receive increased supervision to reduce discipline, crime, or other school safety concerns.

It shall be the practice of Mission Elementary School to remove all graffiti from school property before pupils arrive to begin their school day. Other acts of vandalism are promptly addressed.

Maintenance of School Buildings/Classrooms

The school's physical facility is well-maintained and generally looks neat and clean. The school was painted and renovated during the 2011 year. District personnel periodically examine the school's physical facility and help eliminate obstacles to school safety. Additionally, health and fire department inspectors contribute to school safety.

The Loma Linda Fire Department makes regular safety visits to the campus.

Internal Security Procedures

Mission Elementary School has established procedures in the following areas: California Safe School Assessment (CSSA) reporting procedures, suspension and expulsion procedures, inventory system, and parent notification procedures..

Mission Elementary School crime statistics reflect a total of 1 crime reported during 2022-2023.

Keeping reportable crimes at a minimum requires constant vigilance. The following strategies will be utilized in achieving this goal: continuous monitoring of several surveillance cameras along with daily routine campus walk-throughs and the "See Something, Say Something" initiative.

Mission Elementary School maintains a copy of the district's sexual harassment policy in the main office/principal's office, and the policy is available on request. The District's Sexual Harassment Policy contains dissemination plans, applicable definitions, reporting requirements, investigation procedures, enforcement regulations, and information related to suspension and/or expulsion for sexual harassment of or by pupils. Additionally, a notice summarizing this sexual harassment policy appears in the Parent & Student Handbook; the parent-student handbook is distributed at the beginning of each school year to all parents and pupils.

To ensure the safety of pupils and staff, all visitors to the campus, except pupils of the school and staff members, shall register immediately upon entering any school building or grounds when school is in session. District employees not assigned to Mission Elementary School shall wear appropriate identification badges while on campus conducting business.

Discipline procedures shall focus on finding the cause of problems and working with all concerned to reach the proper, lawful solutions. The school's discipline plan begins at the classroom level. Teachers shall use a visible classroom management plan to communicate classroom rules, promote positive pupil conduct, and reduce unacceptable conduct. Appropriate consequences are administered based on the seriousness of the pupil's misbehavior.

Pupil conduct standards and consequences for Mission Elementary School are specifically described in this Comprehensive Schools Safety Plan, including (a) the adopted school discipline rules and procedures, (b) District Disciplinary Guidelines, and (c) the adopted school-wide dress code.

Pupils may be suspended, transferred to another school, or recommended for expulsion or for certain acts. For specific student violations, a mandatory expulsion recommendation shall be submitted by the administration of Mission Elementary School.

Site administrators contribute to a positive school climate, promote positive pupil behavior, and help reduce inappropriate conduct. The principal/designee uses available district and other appropriate records to inform teachers of each pupil identified under E.C. 49079.

Law enforcement is contacted and consulted to help maintain and promote a safe and orderly school environment. Mission Elementary School employees comply with all legal mandates, regulations, and reporting requirements for all instances of suspected child abuse.

If appropriate, additional internal security procedures affecting the integrity of the school facility include the viewing of surveillance footage from security cameras. Secured campus with only one entrance/exit point for visitors. Mission is a secured campus with the use of Raptor to check in any campus visitors.

Community involvement is encouraged to help increase school safety. including the utilization of the SPRIEGO virtual system for notifying administrators of school safety concerns and safety information for students and parents are provided with support from the PTA the Loma Linda Fire Department the San Bernardino County Sheriff's Department, and the school safety committee.

Inventory System - Engraved ID, Security Storage

Most school-site equipment has a metal ID tag or a bar code sticker adhered to its surface. These items are inventoried annually and there is an established accountability system. Office and classroom supplies are secured.

Element:

Goal 1:

To provide safe and aesthetically pleasing/welcoming indoor/outdoor learning environments.

Opportunity for Improvement:

I. Areas of Pride and Desired Improvements

a. Pride

1. Visual aesthetics around campus
2. Clean, well-manicured and taken care of campus.

b. Areas of Desired Improvement

1. Symbolism
2. Add additional campus murals to improve aesthetic environment and to build school pride.

Objectives	Action Steps	Resources	Lead Person	Evaluation
II. Desired Change #1 Increase college and PBIS symbolism and add inclusive, multicultural banners	a. Related Strategies and Activities 1. Identify areas to post symbolism and identify languages to represent on banners	b. Resources Required 1. Purchase banners, signs, flags e. Budget 1. CHED	c. Personnel Assignments 1. Collaboration from staff areas to post symbolism 2. Support from Maintenance and Operations.	f. Evaluation criteria 1. Completed project evidence d. Timeframe for completion 1. Summer 2024 2. Summer 2024
III. Desired Change #2 Visual aesthetics around campus in the form of murals.	a. Related Strategies and Activities 1. Staff collaboration and approval of campus murals	b. Resources Required 1. Campus murals will be funded through Character Education funds as well as SSP and General Budget. PTA financial support may be needed. e. Budget 1. Character Education, SSP, and General budgets to cover costs + PTA funds	c. Personnel Assignments 1. None	f. Evaluation criteria 1. Completed murals d. Timeframe for completion 1. Winter 2024

Component:

School Climate

The School's Social Environment

Leadership at Mission Elementary School is a shared process. A proactive role is assumed in all phases of the school operation. The current management team is committed to developing Mission Elementary School toward excellence in the areas of academic and social behavior.

The principal sets a positive tone for the school, guides the staff, and works closely with them on curriculum and school safety issues. The school site's organizational structure is open and flexible, contributing to sensitivity concerning school safety issues and promoting a safe, orderly school environment conducive to learning.

Disaster Procedures, Routine, and Emergency

A contingency plan for emergencies is contained in a handbook available to each staff member. The District's Emergency Response Plan - (ERP Plan) is listed in the last section of this plan. The plan is reviewed at the beginning of each school year. This plan also contains available district and outside agency resources, emergency disaster procedures, and information on the Standardized Emergency Management System (SEMS).

Classroom Organization and Structure

Mission Elementary School teachers provide a varied learning environment in their classrooms. Teachers use a variety of teaching strategies, including Direct, Interactive Instruction (DII), Flipped classroom to provide the Common Core State Standards to each student, strategic math instruction, and manipulatives in addition to STEAM/STEM learning activities. For students with special needs, the district provides a Specialized Academic Instruction (SAI) teacher, an SAI Instructional Paraprofessional, a Language Speech and Hearing Specialist, a counselor, a nurse, and an Educational Psychologist. Additionally, we have general education paraprofessionals, extended learning opportunity program teachers, and intervention teachers who push into classes for added support.

The teachers at Mission Elementary School are highly qualified, with many teachers holding advanced degrees. The staff is united in their desire to provide quality education for all pupils. Classrooms and teachers provide a safe, orderly learning environment, enhance the experience of learning, and promote positive interactions among pupils and staff. Instructional time is maximized, and disruptions are minimized.

The School's Cultural Environment

There is a high level of cohesiveness among the staff members at Mission Elementary School. Cooperation and support between teachers and the administration is evident. Efforts are made by the administration and staff to show concern for all pupils.

All pupils are expected to behave in a manner that promotes safety and order. Pupils are encouraged to bring problems to the principal, assistant principal, counselor, teacher, or other staff members. The everyday goal is for the staff to be proactive rather than reactive in all situations of concern.

The academic and behavioral efforts of pupils are recognized and rewarded.

Cultural diversity is celebrated throughout the year by acknowledging and celebrating historical milestones at a school-wide level, such as African American History Month (February), Hispanic Heritage Month (September/October), Women's History Month (March), and Cesar Chavez Day. Cultural Diversity is also celebrated through our Journey's curriculum at all grade levels that incorporates age-level/grade-level appropriate readings on important cultural figureheads.

Element:

Goal 2:

Build upon our College and Career focus through common scholarly language

Opportunity for Improvement:

Areas of Pride and Desired Improvements

1. Pride
2. Supportive and engaged parent/teacher community

Areas of Desired Improvement

1. Common scholarly language that supports college and career awareness and preparation, campus-wide
2. Family participation

Objectives	Action Steps	Resources	Lead Person	Evaluation
<p>Desired Change #1</p> <p>1. Work with staff to establish common scholarly language with a College/Career focus to be used verbally at school and home and to be displayed around campus.</p>	<p>Related Strategies and Activities</p> <p>1. Work with staff to establish a common scholarly language with a College/Career focus</p>	<p>Resources Required</p> <p>1. Collaboration time at monthly staff collaboration and leadership meetings</p> <p>2. Budget</p> <p>3. Character Ed monies to purchase signage</p>	<p>Personnel Assignments</p> <p>1. All staff to participate in the development and implementation of College/Career common language</p>	<p>Evaluation criteria</p> <p>1. Evidence of verbal language and signage for completion</p> <p>Timeframe for completion</p> <p>1. June 2024</p>
<p>Desired Change #2</p> <p>Continual updates to the STEAM lab with a focus on ELA growth.</p>	<p>Related Strategies and Activities</p> <p>1. Partnership with PTA and district</p> <p>2. Utilize new technologies</p> <p>3. Utilize reading coach and supplemental curriculum</p>	<p>Resources Required</p> <p>1. Funds</p> <p>2. Budget</p> <p>1. PTA donation, district funds, SSP, Prin. and General</p>	<p>Personnel Assignments</p> <p>1. Staff, district & Maintenance and Operations to support in planning, estimates and installation</p>	<p>Evaluation criteria</p> <p>1. Evidence of project completion</p> <p>Timeframe for completion</p> <p>1. June 2024</p>

(I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5)

Mission Elementary School Student Conduct Code

Procedures to Ensure a Safe and Orderly Environment

Rules and Procedures on School Discipline

Philosophy of Discipline

- Behavior expectations and the consequences for not meeting expectations must be clearly communicated to all students and their parents (in writing as well as verbally).
- The severity of consequences for violating behavior expectations increases with each incident of inappropriate behavior.
- The consequences for violating behavior expectations should be severe enough to discourage students from making poor behavior decisions.
- Expectations and consequences should permit students an opportunity to eliminate inappropriate behavior.

Additionally, the school staff recognizes that the middle school years are a transition time from adolescence to young adulthood. As a part of this transition, the student is given greater opportunities to be responsible and demonstrate independence and good judgment. The structure of our behavior expectations (in the classroom as well as school wide) is meant to encourage students to be responsible. The first step in many instances of inappropriate behavior (those considered to be "minor") is a simple warning ("Your behavior is unacceptable. Please stop such behavior"). It is only when a student ignores such warnings and continues to choose to act irresponsibly (like a child rather than an emerging adult) that we involve parents and implement consequences.

Elements of a Good Discipline Program

1. The program is focused upon making the entire campus, especially the classroom, a safe, supportive and orderly environment for learning for students and staff.
2. Classroom authority is retained by the classroom teacher. (Administration's role is to support, not to replace.)
3. Rules and procedures are clearly understood by staff and students.
4. All staff members will acknowledge and take appropriate action on any minor or major infraction of the school rules.
5. Rules and procedures comply with State Law and District policies.
6. The program recognizes the responsibilities and the rights of students and staff.
7. Program is structured to keep students in class and engaged in the educational process.
8. Rules are enforced:
 - A. by all staff members at all times.
 - B. strictly, but not rigidly (beware of "automatics").
 - C. in substantial part by adult modeling.
 - D. using techniques that promote the growth of positive self-esteem.
 - E. as close to the source as is possible.
 - F. by keeping parents informed.
9. The discipline program is understood, endorsed, and supported by staff, parents, and students.

PRINCIPAL'S STATEMENT TO EDMS STAFF

Expectations in Developing & Maintaining Discipline

As Principal of our school, I will expect;

Each teacher to have a defined system of classroom management. A written description of this system, including representative examples of the progressive interventions you intend to employ, will be approved and filed by me. Whenever possible and appropriate, teachers are encouraged to use standards and systems that are consistent with other village/department members.

You can expect

Each administrator to assist and support you in every reasonable way in developing, implementing, and refining that system as needed.

I will expect

That when you refer a student for discipline:

1. The student has been made fully aware of classroom and school rules and knows what rules he/she has violated.
2. Teachers within a village will discuss any continuing behavior problems and schedule a team conference with the student and parents when appropriate.
3. That information will be provided on the referral regarding previous actions you have taken regarding this specific issue.
4. You have exhausted the interventions at your disposal (i.e., you have done everything you can do) and you have followed the guidelines established by the administration and staff on what constitutes an appropriate behavior referral.
5. The behavior was so serious or so blatant as to make immediate removal from the classroom necessary.
6. The written referral will be explicit in stating the offense(s).
7. You will send the student out of class with a referral only if his/her continued presence in the class would disrupt or prevent teaching and/or learning.
8. If necessary, the referral will be delivered to the office at a time convenient to the staff member so that the issue may be handled most efficiently, causing a minimum of lost class time.

You can expect

1. Each administrator to support your position in every reasonable way.
2. A response time on your referral of one, or at most, two days.

3. The availability of an administrator to discuss unresolved referrals after school on any given day.
4. That the administrator will exercise independent judgment regarding disposition of referrals.

I will expect

1. That each teacher will go to the doorway of his/her classroom after each class period as often as possible and assume control of student behavior in the corridor.
2. That each staff member will hold students accountable for their behavior on the school grounds at all times.

You can expect

1. Administrator support, investigation, and follow-through as indicated.
2. A response to referrals from incidents outside the classroom to be the same as to those within.

Michele Lenertz
Principal

WHAT TO DO WHEN PROBLEMS APPEAR

Both behavioral and academic problems are present in some of our students. Teachers often ask for guidelines for dealing with these problems. Here they are:

1. Talk to the administrator assigned to your grade level.
2. Call parents at first sign of concern. Inform the parents of your observations, ask for their ideas, assistance, and support in serving the student. Keep a log of your calls.
3. If possible, talk privately to the student about your concerns.
4. Behavior concerns—look through students' CUM file. Any official suspensions will be in file, also look for teacher comments on report cards. Look for patterns of behavior. We use In-House Suspension whenever possible, as it is preferable to having students at home unattended—and it saves the district money. Serious infractions (fighting, threats, etc.) do result in official suspension. Unresponsive students can be moved to other schools or expelled.
5. Referrals—please remember if you write a student referral, you are required to call the parents. You are writing the referral and can answer the parents' questions firsthand. Administrators will also call parents, but we can only give secondhand information on the incident.
6. Academic Concerns—again, look through student CUM. This will contain test scores, report cards, and a student history. You may want to ask the grade level administrator to schedule a Student Study Team (SST). This will involve a meeting with the student, parents, administrators, students' teachers, and perhaps the psychologist

Conduct Code Procedures

(K) Hate Crime Reporting Procedures and Policies

The Governing Board desires to provide a safe school environment that allows all students equal access to and opportunities in the district's academic, extracurricular, and other educational support programs, services, and activities. The Board prohibits unlawful discrimination in any education program or activity, at or on the way to and from any district school or school activity, related to school activity or school attendance occurring within a district school, and which occurs off campus or outside of school-related or school-sponsored activities, but which may have an impact or create a hostile environment at school. Unlaw discrimination includes 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 or parental status, pregnancy, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression or genetic information; or association with a person or group with one or more of these actual or perceived characteristics.

Title IX of the Education Amendments of 1972 is a source of the obligation not to discriminate on the basis of sex, including gender, pregnancy and related conditions, sex stereotypes, gender identity, transgender status, sexual orientation, and parental status. Complaints alleging unlawful discrimination on the basis of race, color, national origin, sex, age, or disability or for retaliation for the purpose of interfering with any right or privilege protected by the laws enforced by the Office for Civil Rights can be filed directly with the Assistant Secretary for the Office for Civil Rights at OCR@ed.gov or <https://ocrcas.ed.gov>.

(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 constituting unlawful discrimination or harassment 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 one of the categories listed above. Unlawful discrimination also occurs when prohibited conduct is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect or purpose of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely or negatively affects a student's educational opportunities, or academic performance.

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. In addition, the Superintendent or designee shall post the district's policies prohibiting discrimination, harassment, intimidation, and bullying and other required information on the district's web site in a manner that is easily accessible to parents/guardians and students, in accordance with law and the accompanying administrative

regulation.

The Superintendent or designee shall provide training and/or information on the scope and use of the policy and complaint procedures and take other measures designed to increase the school community's understanding of the requirements of law related to discrimination. The Superintendent or designee shall regularly review the implementation of the district's nondiscrimination policies and practices and, as necessary, shall take action to remove any identified barrier to student access to or participation in the

district's educational program. The Superintendent or designee shall report the findings and recommendations to the Board after each review.

(cf. 1312.3 - Uniform Complaint Procedures) (cf. 1330 - Use of Facilities) (cf. 4131/4231/4331 - Staff Development)
(cf. 6145 - Extracurricular and Cocurricular Activities) (cf. 6145.2 - Athletic Competition)
(cf. 6164.2 - Guidance/Counseling Services)

Regardless of whether a complainant complies with the writing, timeline, and/or other formal filing requirements, all complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, shall be investigated and prompt action taken to stop the discrimination, prevent recurrence, and address any continuing effect on students.

Students who engage in unlawful discrimination, including discriminatory harassment, intimidation, bullying, or retaliation, 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. School personnel shall take immediate steps to intervene, when safe to do so, whenever site personnel witness an act of discrimination, harassment, intimidation, or bullying. Any employee who permits or engages in prohibited discrimination, including discriminatory harassment, intimidation, bullying, or retaliation, shall be subject to disciplinary action, up to and including dismissal.

(cf. 4118 - 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. The record shall be maintained for a minimum of ten years.

The record shall be maintained in a centralized, electronic tracking and response system (centralized system) for all oral and written complaints of sex discrimination, and sexual harassment, assault, intimidation, bullying or abuse, and any retaliation related to the submission of such reports and complaints, including those submitted anonymously.

The centralized system shall contain all documents provided or generated during an investigation, resolution, or appeal.
(cf. 3580 - District Records)

Board Policy Manual Redlands Unified School District

The district designates the Assistant Superintendent of Compliance as the employee 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 Assistant Superintendent of Compliance shall also serve as the compliance officer 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 and any complaints of retaliation for reporting, complaining, or participating in the grievance process related such allegations. The Assistant Superintendent of Compliance may be contacted at: (Education Code 234.1; 5 CCR 4621)

Dr. Rudy Wilson
Assistant Superintendent of Compliance Redlands Unified School District
20 W. Lugonia Avenue Redlands, CA 92374
(909) 307-5300
compliance@redlands.k12.ca.us

(cf. 1312.1 - Complaints Concerning District Employees) (cf. 1312.3 - Uniform Complaint Procedures) (cf. 5145.7 - Sexual Harassment)
(cf. 5145.71 - Title IX Sexual Harassment Complaint Procedures)

Measures to Prevent Discrimination

To prevent unlawful discrimination, including discriminating 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 website in a manner that is easily accessible to parents/guardians and students (Education Code 234.6)

(cf. 0410 - Nondiscrimination in District Programs and Activities) (cf. 1113 - District and School Websites) (cf. 1114 - District-Sponsored Social Media) (cf. 5131.2 - Bullying)
(cf. 5145.9 - Hate-Motivated Behavior)

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 website 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 website, 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 websites 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:

(1) An explanation of the statute of limitations within which a complaint must be filed after an alleged incident of discrimination has occurred and how a complaint may be filed beyond the statute of limitations

(2) An explanation of how the complaint will be investigated and how the complainant may further pursue the complaint, including web links to this information on the OCR's website

(3) A web link to the OCR complaints form and the contact information for the office, including the phone number and email address for the office

d. A link to the Title IX information included on the California Department of Education's (CDE) website

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, including transgender and gender-nonconforming students. The notice shall inform students and parents/guardians that they may request to meet with the Assistant Superintendent of Compliance to determine how best to accommodate or resolve concerns that may arise from the district's implementation of its nondiscrimination policies. The notice shall also inform all students and parents/guardians that, to the extent possible, the district will address any individual student's interests and concerns in private.

(cf. 5145.6 - Parental Notifications)

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, including transgender and gender-nonconforming students.

(cf. 1240 - Volunteer Assistance)

(cf. 4131/4231/4331 - Staff Development)

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)

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

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 (cf. 5131.5 - Vandalism and Graffiti)
2. Providing training to students, staff, and parents/guardians about how to recognize unlawful discrimination, how to report it or file a complaint, and how to respond
3. Disseminating and/or summarizing the district's policy and regulation regarding unlawful discrimination
4. Consistent with laws regarding the confidentiality of student and personnel records, communicating to students, parents/guardians, and the community the school's response plan to unlawful discrimination or harassment

(cf. 4112.6/4212.6/4312.6 - Personnel Files)

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information) (cf. 5125 - Student Records)

5. Taking appropriate disciplinary action against students, employees, and anyone determined to have engaged in wrongdoing in violation of district policy, including any student who is found to have filed a complaint of discrimination that he/she knew was not true

(cf. 4118/4218 - Dismissal/Suspension/Disciplinary Action) (cf. 5144 - Discipline) (cf. 5144.1 - Suspension and Expulsion/Due Process) (cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities)) (cf. 6159.4 - Behavioral Interventions for Special Education Students)

Process for Initiating and Responding to Complaints

Any student who feels that he/she has been subjected to unlawful discrimination described above or in district policy is strongly encouraged to immediately contact the Assistant Superintendent of Compliance, the principal, or any other staff member. In addition, any student who observes any such incident is strongly encouraged to report the incident to the Assistant Superintendent of Compliance 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 Assistant Superintendent of Compliance and the principal, within one 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 Assistant Superintendent of Compliance, the principal or Assistant Superintendent of Compliance 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 Assistant Superintendent of Compliance 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, Assistant Superintendent of Compliance, or any other person to whom a report would ordinarily be made or complaint filed shall instead be made to or filed with

the Superintendent or designee who shall determine how the complaint will be investigated.

(cf. 5141.4 - Child Abuse Prevention and Reporting) Transgender and Gender-Nonconforming Students

Gender identity of a student means the student's gender-related identity, appearance, or behavior, as determined from the student's internal sense 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 or not 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.

Transgender student means a student whose gender identity is different from the gender assigned at birth.

Gender-nonconforming student means a student whose gender expression differs from stereotypical expectations.

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 transgender status to individuals who do not have a legitimate need for the information, without the student's consent or when doing so would place the student at risk of physical, emotional, or psychological harm
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 transgender and gender- nonconforming students.

Examples of bases for complaints include, but are not limited to, the above list, as well as improper rejection by the district of a student's asserted gender identity, denial of access to facilities that correspond with a student's gender identity, improper disclosure of a student's transgender status, discriminatory enforcement of a dress code, and other instances of gender-based harassment.

To ensure that transgender and gender-nonconforming students are afforded the same rights, benefits, and protections provided to all students by law and Board policy, the district shall address each situation on a case-by- case basis, in accordance with the following guidelines:

1. Right to privacy: A student's transgender or gender-nonconforming status is the student's private information and the district will only disclose the information to others with the student's prior written consent, except when the disclosure is otherwise required by law or when the district has compelling evidence that disclosure is necessary to preserve the student's physical or mental well-being. In any case, the district shall only allow

disclosure of a student's personally identifiable information to employees with a legitimate educational interest as determined by the district pursuant to 34 CFR 99.31. Any district employee to whom a student's transgender or gender- nonconforming status is disclosed shall keep the student's information confidential. When disclosure of a student's gender identity is made to a district employee by a student, the employee shall seek the student's permission to notify the Assistant Superintendent of Compliance . If the student refuses to give permission, the employee shall keep the student's information confidential, unless he/she is required to disclose or report the student's information pursuant to this administrative regulation, and shall inform the student that honoring the student's request may limit the district's ability to meet the student's needs related to the student's status as a transgender or gender-nonconforming student. If the student permits the employee to notify the Assistant Superintendent of Compliance , the employee shall do so within three school days.

As appropriate, given the student's need for support, the Assistant Superintendent of Compliance may discuss with the student any need to disclose the student's 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.

(cf. 1340 - Access to District Records) (cf. 3580 - District Records)

2. Determining a Student's Gender Identity: The Assistant Superintendent of Compliance 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 Assistant Superintendent of Compliance 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 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 Assistant Superintendent of Compliance shall identify specific school site employee(s) to whom the student may report any problem related to the student's status as a transgender or gender-nonconforming individual, so that prompt action can be taken to address it. Alternatively, if appropriate and desired by the student, the school may form a support team for the student that will meet periodically to assess whether the arrangements for the student are meeting his/her educational needs and providing equal access to programs and activities, educate appropriate staff about the student's transition, and serve as a resource to the student to better protect the student from gender-based discrimination.

4. Accessibility to Sex-segregated Facilities, Programs, and Activities: When the district maintains sex- segregated facilities, such as restrooms and locker rooms, or offers sex-segregated programs and activities, such as physical education classes, intramural sports, and interscholastic athletic programs, students shall be permitted to access facilities and participate in programs and activities consistent with their gender identity. To address any student's privacy concerns in using sex-segregated facilities, the district shall offer available options such as a gender-neutral or single-use restroom or changing area, a bathroom stall with a door, an area in the locker room separated by a curtain or screen, 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 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.

(cf. 6145 - Extracurricular and Co-curricular Activities) (cf. 6145.2 - Athletic Competition) (cf. 6153 - School-Sponsored Trips)

(cf. 7110 - Facilities Master Plan)

5. Student Records: A student's legal name or gender as entered on the mandatory student record required pursuant to 5 CCR 432 shall only be changed with proper documentation. When a student presents government- issued documentation of a name and/or gender change or submits a request for a name and/or gender change

through the process specified in Education Code 49070, the district shall update the student's records. (Education Code 49062.5, 49070)

(cf. 5125 - Student Records)

(cf. 5125.1 - Release of Directory Information) (cf. 5125.3 - Challenging Student Records)

6. Names and Pronouns: If a student so chooses, district personnel shall be required to address the student by a name and the pronouns consistent with 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.

(cf. 5132 – Student Dress Guidelines)

(J) Procedures to Prepare for Active Shooters

In the event of an active shooter incident at Mission Elementary, students and staff will be instructed to adhere to the Redlands Unified School District's "3 Levels of Student Safety in a Crisis" protocol as outlined below:

**** Safe and Secure Mode****

Safe and Secure Mode is a security procedure used to reduce student and staff movement outside school buildings. This may be due to a medical emergency, area disturbance, etc. It is designed to allow for school to carry forward but have the ability to move to Lockdown quickly if needed. During the Safe & Secure mode, there is heightened vigilance on campus by all school staff.

Generally, recesses and outdoor activities are reduced. Parents/guardians can have access to their student(s) and may check them out of school if they see fit to do so.

Teachers should continue teaching as normal

Allow students restroom use with clear administrator/ teacher direction

Increased available staff presence during passing periods and student dismissal

Lunch/activities in more secure area, unless site admin decides otherwise

Standard inclement weather schedule/routine in place, unless site administrator/designee decides otherwise

Perimeter gates, where applicable, will be locked and monitored by available staff, allowing for central access points

PE classes will be moved off all fields into more secure locations (e.g., gym, class, & MPR)

****Lock Down****

Lock Down is called when a law enforcement event is happening in the vicinity of a school. The law enforcement agency generally, but not always, contacts the school/district to encourage the school site to Lock Down as a precautionary measure. All Administrators are expected to place their school in Lock Down in this scenario.

Take a look outside your classroom and gather up any stray students in the hallways

Ensure that your door is locked

If windows are open, close them

Project a calm demeanor to help students remain calm. Reassure students that they are safe

Do not allow anyone to leave the classroom

Frequently check your emails for possible updates from your site administrators

If students are out on the playground or athletic fields, quickly move them to a secure classroom, locker room, or multi-purpose room

****Critical Alert****

Critical Alert is called when a significant, threatening event is happening on campus or adjacent to campus that creates a potential danger to students and staff. While this may be communicated to the school by law enforcement, it may also be determined by school officials on the scene. Critical Alert assumes that everyone is prepared for a potential significant threat/event on campus. Implement all items from Lock Down list above

Turn off or reduce lighting, so it will appear that the room is vacant

Keep all students sitting on the floor, away from the door or windows

Do not look out the windows

Cover window on the door (if one exists)

Advise the students that there is a serious situation, but you don't know what it is. Project a calm demeanor to help students remain calm. Reassure students that they are safe

Ensure that everyone in the room turns the ringer off on their cell phones

Do not allow students to talk on their cell phones (keep room as quiet as possible)

Do not call the office. They are in the midst of a problem and will not be able to answer all the calls which may tie up the phone system

Quietly take roll and make a list of missing students and any extra students that are in your room. Email this list to your administrators and school site secretaries

Do not evacuate students until you are told to, even if the fire bells go off. If, in fact, there is a need for a fire evacuation, you will be notified via the PA system, email, or phone call

Do not open the door, even if someone knocks and claims to be a staff member (Administrator/custodian will have a master key)

If students are out on the PE field, do not return them to the locker room. Move them to a safe place (the farthest part of the campus)

Procedures for Preventing Acts of Bullying and Cyber-bullying

District Bullying Policy

The Redlands USD 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, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any other student or school personnel, or retaliate against them for filing a complaint or participating in the complaint resolution process.

The Superintendent or designee shall develop strategies for addressing bullying in district schools with the involvement of students, parents/guardians, and staff. As appropriate, the Superintendent or designee may also collaborate with social services, mental health services, law enforcement, courts, and other agencies and community organizations in the development and implementation of effective strategies to promote safety in schools and the community.

Such strategies shall be incorporated into the comprehensive safety plan and, to the extent possible, into the local control and accountability plan and other applicable district and school plans.

Any complaint of bullying shall be investigated and, if determined to be discriminating, resolved in accordance with law and the district's uniform complaint procedures specified in AR 1312.3 - Uniform Complaint Procedures. If, during the investigation, it is determined that a complaint is about nondiscriminatory bullying, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

Any employee who permits or engages in bullying or retaliation related to bullying shall be subject to disciplinary action, up to and including dismissal.

Any person that has been a victim of, or witnessed bullying or harassment on school grounds, during school activities, or going to and coming from school is highly encouraged to report the incident immediately to a counselor, administrator, or other adult personnel on campus. Students have an option of reporting the incident anonymously through Sprigeo online Sprigeo - Report School Safety Threats and Bullying on the school and district's websites.

Definition of Bullying

The district and school are compliant with Assembly Bill AB86 and Education Code 48900 (r) which states that bullying is "one or more acts by a pupil or group of pupils directed against another pupil that constitutes sexual harassment, hate violence, or severe or pervasive intentional harassment, threats, or intimidation that is disruptive, causes disorder, and invades the rights of others by creating an intimidating or hostile educational environment, and includes acts that are committed personally or by means of an electronic act." School officials have the authority to suspend a pupil or recommend a pupil for expulsion for bullying, including but not limited to bullying by an electronic act.

Harassment or bullying of students or staff is an extremely serious violation. The District will not tolerate unlawful bullying and harassment on school grounds, or when traveling to and from school or a school sponsored activity, and during lunch period, whether on or off campus, or sending insulting or threatening messages by phone, e-mail, websites, or any other electronic or written communication. The physical location or time of access of a computer-related incident cannot be raised as a defense in any disciplinary action initiated pursuant to this policy.

"Bullying" is defined as any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils directed toward one or more pupils that has or can be reasonably predicted to have the effect of causing a reasonable pupil to experience a substantially detrimental effect on the pupil's physical or mental health, academic performance, or ability to participate in school activities.

"Cyberbullying," includes the transmission of harassing communications, direct threats, or other harmful texts, sounds, or images on the Internet, social media, or other technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation. 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 shall file a request with the networking site or service to suspend the privileges of the student and to have the material removed.

Safety Plan Review, Evaluation and Amendment Procedures

The Mission Safety Committee convenes on a quarterly basis to deliberate and strategize on student safety protocols in the event of emergencies or disasters. The safety plan undergoes a thorough evaluation by the administration to ensure that all procedures are accurate and current. Subsequently, the Mission Safety Committee reviews the plan and implements any necessary revisions. Finally, the updated safety plan is presented to the School Site Council, where it is subject to a vote and approval by the council members. Upon the approval, the safety plan is given to the Redlands Unified School District, Office of Student Services.

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)

Types of Emergencies & Specific Procedures

Earthquake

Mission Elementary does earthquake preparedness drills twice annually. Mission has a Safety Committee that meets quarterly to discuss and plan for student safety in the event of emergencies and/or disasters. Parents and families are kept well informed through our Aeries Communication system through phone calls, emails, and texts.

During earthquake drills, students will engage in the “drop, cover, and hold on” procedure, while educators underscore the critical importance of earthquake preparedness. This exercise serves as an essential opportunity for all participants to acquire the necessary skills to mitigate injuries during seismic events. Upon activation of the earthquake alarm, students are instructed to immediately drop to the ground, seek cover under a table or desk, and hold on, while participating in the drill.

Following the issuance of the All-CLEAR signal, staff will proceed with classroom evacuations as delineated below:

****Kindergarten:****

- Evacuate to the Kindergarten Playground.
- Complete the Injured/Missing Status Report Form.
- Submit the completed report to an Administrator or School Counselor.
- Display the Classroom Safety Sign:
- ****Red**** = Persons/Students Unaccounted For
- ****Green**** = All Clear
- Return to class upon receiving the All-Clear.

****1st through 5th Grades:****

- Evacuate to the Field.
- Complete the Injured/Missing Status Report Form.
- Submit the completed report to an Administrator.
- Display the Classroom Safety Sign:
- ****Red**** = Persons/Students Unaccounted For
- ****Green**** = All Clear
- Return to class upon receiving the All-Clear.

Fire in Surrounding Area

Mission has a Safety Committee that meets quarterly to discuss and plan for student safety in the event of emergencies and/or disasters. Parents and families are kept well informed through our Aeries Communication system, which includes phone calls, emails, and texts.

In the event of a fire in a surrounding area during class time, Mission Elementary will follow the "3 Levels of Student Safety In A Crisis" procedures, beginning with level 1, "Safe and Secure."

Following a "Safe and Secure" Crisis implemented by staff. Teachers will prepare students accordingly, following the below district procedures:

Safe & Secure Mode is a security procedure used to reduce student and staff movement outside school buildings. This may be due to a medical emergency, area disturbance, etc. It is designed to allow for school to carry forward but have the ability to move to Lockdown quickly if needed. During the Safe & Secure mode, there is heightened vigilance on campus by all school staff. Generally, recesses and outdoor activities are reduced. Parents/guardians can have access to their student(s) and may check them out of school if they see fit to do so.

- Teachers should continue teaching as normal
- Allow students restroom use with clear administrator/ teacher direction
- Increased available staff presence during passing periods and student dismissal
- Lunch/activities in more secure area, unless site admin decides otherwise
- Standard inclement weather schedule/routine in place, unless site administrator/designee decides otherwise
- Perimeter gates, where applicable, will be locked and monitored by available staff,
- allowing for central access points
- PE classes will be moved off all fields into more secure locations (e.g., gym, class, & MPR)

Fire on School Grounds

Mission Elementary does fire preparedness drills monthly. Mission has a Safety Committee that meets quarterly to discuss and plan for student safety in the event of emergencies and/or disasters. Parents and families are kept well informed through our Aeries Communication system through phone calls, emails, and texts.

During fire drills, students will engage in fire safety procedures, while educators underscore the critical importance of fire preparedness. This exercise serves as an essential opportunity for all participants to acquire the necessary skills to mitigate injuries during fire events.

Following the FIRE ALARM signal, staff will proceed with classroom evacuations as delineated below:

TK/Kindergarten:

Evacuate to the TK/Kindergarten Playground.

Complete the Injured/Missing Status Report Form.

Submit the completed report to an Administrator or School Counselor.

Display the Classroom Safety Sign:

Red = Persons/Students Unaccounted For

Green = All Clear

Return to class upon receiving the All-Clear.

1st through 5th Grades:

Evacuate to the Field.

Complete the Injured/Missing Status Report Form.

Submit the completed report to an Administrator.

Display the Classroom Safety Sign:

Red = Persons/Students Unaccounted For
Green = All Clear
Return to class upon receiving the All-Clear.

Pandemic

Blood Borne Pathogen Incident Reporting Form and Exposure Control Plan

Policy 5141.22: Infectious Diseases

The Governing Board desires to protect students from risks posed by exposure to infectious diseases while providing an appropriate education for all students.

The Superintendent or designee shall determine whether to admit a student with an infectious disease, and shall exclude students only in accordance with law. In making this determination, he/she shall consult the student's parents/guardians, the student's physician and/or the county health department, in accordance with law and consistent with confidentiality provisions. Because bloodborne pathogens such as hepatitis B virus, hepatitis C virus and human immunodeficiency virus (HIV) are not casually transmitted, the sole presence of bloodborne pathogens is not sufficient reason to exclude students from attending school.

cf. 5112.2 - Exclusions from Attendance)
(cf. 5141.26 - Tuberculosis Testing)
(cf. 5141.3 - Health Examinations)
(cf. 6158 - Independent Study)
(cf. 6159 -Individualized Education Program)
(cf. 6183 - Home/Hospital Instruction)

Parents/guardians are encouraged to inform the Superintendent or designee if their child has an infectious disease so that school staff may work cooperatively with the student's parents/guardians to minimize the child's exposure to other diseases in the school setting. The Superintendent or designee shall ensure that student confidentiality rights are strictly observed in accordance with law. No district employee shall release medical information, including knowledge of a bloodborne pathogen infection, without written consent from the parent/guardian or adult student. Such information shall be shared only with those persons specifically named in the written permission.

(cf. 5125 - Student Records)
(cf. 5022 -Student and Family Privacy Rights)

The Board requires students and staff to routinely observe universal precautions to prevent exposure to bloodborne pathogens and to prevent the spread of all infectious disease.

cf. 4119.42/4219.42/4319.42 -Exposure Control Plan for Bloodborne Pathogens)
(cf. 4119.43/4219.43/4319.43 - Universal Precautions)
(cf. 5141.23 - Infectious Disease Prevention)

The Superintendent or designee shall ensure that the district's health education program provides information about the nature of bloodborne pathogens and their transmission.

(cf. 5141.6 - Student Health and Social Services)
(cf. 6142.2 - Sexual Health and HIV/AIDS Prevention Instruction)
(cf. 6142.8 - Comprehensive Health Education)

Blood Borne Pathogens - Safety Practices

Procedures and Regulations

1. General

1.1 While recognizing that both students and employees diagnosed with an infectious blood borne disease are entitled to a confidential relationship between themselves, the medical community and/or other agencies, the Board of School Trustees encourages these individuals to meet with the School Principal and/or Superintendent of Schools to discuss their disease and immediate and future needs.

1.2 Assessment

2. Students:

2.1. The Superintendent (or designate) will be informed, by the school principal as soon as is known, of any student infected with an infectious blood borne disease.

2.2. A Risk Assessment will be conducted using a team approach including the personal physician, public health personnel, the parent or guardian, and school district personnel as appropriate and will make recommendations about the type of educational and care setting based on the following:

- a. Behavior, neurological development and physical condition of the child;
- b. Type of interaction expected with others.
- c. What the potential is for exposure
- d. Areas for potential for exposure
- e. How exposure may happen
- f. Who needs to know?
- g. What will happen if there is a risk of exposure?

2.3. The team will consider the risk to others in the workplace, whether or not the individual is healthy enough to continue to attend school, and what precautions should be taken to ensure the safety and health of others.

a. The identity of infected students will remain confidential and restricted to those who need to know or are required to be informed.

2.4. Decisions on attendance at school are dependent on the circumstances of each individual case. Regular evaluation of the appropriateness of attendance will be conducted.

2.5. The Board will be notified immediately when the team considers the health condition of a student to be a danger to the immediate health and welfare of a school, its students or employees of the Board.

a. Upon being notified of the team's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

3. Employees

3.1. The Superintendent will be informed, by district staff as soon as is known, of any employee infected with an infectious blood borne disease.

3.2. Employees with an infectious blood borne disease, who are able to carry out the essential duties of their jobs in a satisfactory manner without posing a health or safety risk to themselves or others, will be entitled to continue their work.

3.3. Decisions regarding potential health or safety hazards will be made on a case-by-case basis in consultation with the employee, the personal physician and district personnel as appropriate.

3.4. The identity of infected employees will remain confidential and restricted to those who need to know or are required to be informed.

3.5. The Board will be notified immediately if the Superintendent considers the health condition of an employee to be a danger to the immediate health and welfare of a school, its students or other employees of the Board.

a. Upon being notified of the Superintendent's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

4. Hygienic Safety Practices

4.1. All employees will follow "Universal Infection Control Precautions" by assuming that blood and other body fluids from all individuals are potentially infectious. These precautions include:

- a. Routinely using gloves when anticipating contact with blood
- b. Immediately washing hands and other skin surfaces after removal of gloves and/or contact with blood

4.2. Schools will be provided with appropriate protective equipment including disposable waterproof gloves (natural rubber latex, neoprene, nitrile, or vinyl), tongs or pliers and proper sharps containers.

4.3. Schools' medical room mattresses will be either vinyl-coated beds or cloth mattress with a protective vinyl (plastic) covering so that they can be cleaned as needed with a bleach solution.

4.4. Blankets can be cleaned as needed by forwarding them, in a clearly labeled plastic bag, to the Assistant Supervisor Operations at the Facilities Office.

5. Universal Precautions

5.1. Universal Precautions to prevent transmission of blood-borne disease will be followed. Universal Precautions is the term for infection control measures endorsed by the Canadian Centre for Occupational Health and Safety for workers who might come into contact with blood and other body fluids. In summary they include:

- a. Wash hands for 30 seconds after contact with blood and other body fluids contaminated with blood.
- b. Wear disposable latex gloves when you encounter blood, body fluids, or when cleaning cuts, scrapes or wounds. Wash your hands as soon as you remove your gloves. Dispose gloves in a plastic bag.
- c. Use disposable absorbent material like paper towels to stop bleeding.
- d. Discard bloodstained material in a sealed plastic bag and deposit in the garbage. Label as containing blood-tainted material.
- e. Cover cuts or scrapes with a bandage until healed.
- f. Immediately protect staff and students from coming in contact with blood-soiled surfaces. The area must be disinfected with a fresh solution of one part bleach and nine-parts water (10% bleach solution).

Mops or brushes used for cleaning should be soaked in a bleach solution for 20 minutes.

(Note: The custodial department will provide each school with the product for dissolving in water to provide the bleach solution.)

6. Identification of Risks of Occupational Exposure

6.1. In accordance with the Occupational Health and Safety Regulations (section 6.35), the district's Health & Safety Coordinator will develop and maintain a list of positions and/or tasks and procedures where there is a potential for occupational exposure to a blood borne pathogen.

6.2. Employees who have, or may have, occupational exposure to the hepatitis B virus, will upon request, receive a hepatitis B vaccination (section 6.39, OH&S Regs).

6.3. Employees who may have been exposed to a blood borne pathogen in an exposure incident will be advised to immediately seek medical attention

Blood Borne Pathogen Incident Reporting Form and Exposure Control Plan

Policy 5141.22: Infectious Diseases

The Governing Board desires to protect students from risks posed by exposure to infectious diseases while providing an appropriate education for all students.

The Superintendent or designee shall determine whether to admit a student with an infectious disease, and shall exclude students only in accordance with law. In making this determination, he/she shall consult the student's parents/guardians, the student's physician and/or the county health department, in accordance with law and consistent with confidentiality provisions. Because bloodborne pathogens such as hepatitis B virus, hepatitis C virus and human immunodeficiency virus (HIV) are not casually transmitted, the sole presence of bloodborne pathogens is not sufficient reason to exclude students from attending school.

cf. 5112.2 - Exclusions from Attendance)
(cf. 5141.26 - Tuberculosis Testing)
(cf. 5141.3 - Health Examinations)
(cf. 6158 - Independent Study)
(cf. 6159 -Individualized Education Program)
(cf. 6183 - Home/Hospital Instruction)

Parents/guardians are encouraged to inform the Superintendent or designee if their child has an infectious disease so that school staff may work cooperatively with the student's parents/guardians to minimize the child's exposure to other diseases in the school setting. The Superintendent or designee shall ensure that student confidentiality rights are strictly observed in accordance with law. No district employee shall release medical information, including knowledge of a bloodborne pathogen infection, without written consent from the parent/guardian or adult student. Such information shall be shared only with those persons specifically named in the written permission.

(cf. 5125 - Student Records)
(cf. 5022 -Student and Family Privacy Rights)

The Board requires students and staff to routinely observe universal precautions to prevent exposure to bloodborne pathogens and to prevent the spread of all infectious disease.

cf. 4119.42/4219.42/4319.42 -Exposure Control Plan for Bloodborne Pathogens)
(cf. 4119.43/4219.43/4319.43 - Universal Precautions)
(cf. 5141.23 - Infectious Disease Prevention)

The Superintendent or designee shall ensure that the district's health education program provides information about the nature of bloodborne pathogens and their transmission.

(cf. 5141.6 - Student Health and Social Services)
(cf. 6142.2 - Sexual Health and HIV/AIDS Prevention Instruction)
(cf. 6142.8 - Comprehensive Health Education)

Blood Borne Pathogens - Safety Practices

Procedures and Regulations

1. General

1.1 While recognizing that both students and employees diagnosed with an infectious blood borne disease are entitled to a confidential relationship between themselves, the medical community and/or other agencies, the Board of School Trustees encourages these individuals to meet with the School Principal and/or Superintendent of Schools to discuss their disease and immediate and future needs.

1.2 Assessment

2. Students:

2.1. The Superintendent (or designate) will be informed, by the school principal as soon as is known, of any student infected with an infectious blood borne disease.

2.2. A Risk Assessment will be conducted using a team approach including the personal physician, public health personnel, the parent or guardian, and school district personnel as appropriate and will make recommendations about the type of educational and care setting based on the following:

- a. Behavior, neurological development and physical condition of the child;
- b. Type of interaction expected with others.
- c. What the potential is for exposure
- d. Areas for potential for exposure
- e. How exposure may happen
- f. Who needs to know?
- g. What will happen if there is a risk of exposure?

2.3. The team will consider the risk to others in the workplace, whether or not the individual is healthy enough to continue to attend school, and what precautions should be taken to ensure the safety and health of others.

- a. The identity of infected students will remain confidential and restricted to those who need to know or are required to be informed.

2.4. Decisions on attendance at school are dependent on the circumstances of each individual case. Regular evaluation of the appropriateness of attendance will be conducted.

2.5. The Board will be notified immediately when the team considers the health condition of a student to be a danger to the immediate health and welfare of a school, its students or employees of the Board.

- a. Upon being notified of the team's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

3. Employees

3.1. The Superintendent will be informed, by district staff as soon as is known, of any employee infected with an infectious blood borne disease.

3.2. Employees with an infectious blood borne disease, who are able to carry out the essential duties of their jobs in a satisfactory manner without posing a health or safety risk to themselves or others, will be entitled to continue their work.

3.3. Decisions regarding potential health or safety hazards will be made on a case-by-case basis in consultation with the employee, the personal physician and district personnel as appropriate.

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- a. Upon being notified of the Superintendent's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

4. Hygienic Safety Practices

- 4.1. All employees will follow "Universal Infection Control Precautions" by assuming that blood and other body fluids from all individuals are potentially infectious. These precautions include:
- a. Routinely using gloves when anticipating contact with blood
 - b. Immediately washing hands and other skin surfaces after removal of gloves and/or contact with blood
- 4.2. Schools will be provided with appropriate protective equipment including disposable waterproof gloves (natural rubber latex, neoprene, nitrile, or vinyl), tongs or pliers and proper sharps containers.
- 4.3. Schools' medical room mattresses will be either vinyl-coated beds or cloth mattress with a protective vinyl (plastic) covering so that they can be cleaned as needed with a bleach solution.
- 4.4. Blankets can be cleaned as needed by forwarding them, in a clearly labeled plastic bag, to the Assistant Supervisor Operations at the Facilities Office.

5. Universal Precautions

- 5.1. Universal Precautions to prevent transmission of blood-borne disease will be followed. *Universal Precautions* is the term for infection control measures endorsed by the Canadian Centre for Occupational Health and Safety for workers who might come into contact with blood and other body fluids. In summary they include:
- a. Wash hands for 30 seconds after contact with blood and other body fluids contaminated with blood.
 - b. Wear disposable latex gloves when you encounter blood, body fluids, or when cleaning cuts, scrapes or wounds. Wash your hands as soon as you remove your gloves. Dispose gloves in a plastic bag.
 - c. Use disposable absorbent material like paper towels to stop bleeding.
 - d. Discard bloodstained material in a sealed plastic bag and deposit in the garbage. Label as containing blood-tainted material.
 - e. Cover cuts or scrapes with a bandage until healed.
 - f. Immediately protect staff and students from coming in contact with blood-soiled surfaces. The area must be disinfected with a fresh solution of one part bleach and nine-parts water (10% bleach solution).

Mops or brushes used for cleaning should be soaked in a bleach solution for 20 minutes.

(Note: The custodial department will provide each school with the product for dissolving in water to provide the bleach solution.)

6. Identification of Risks of Occupational Exposure

- 6.1. In accordance with the Occupational Health and Safety Regulations (section 6.35), the district's Health & Safety Coordinator will develop and maintain a list of positions and/or tasks and procedures where there is a potential for occupational exposure to a blood borne pathogen.
- 6.2. Employees who have, or may have, occupational exposure to the hepatitis B virus, will upon request, receive a hepatitis B vaccination (section 6.39, OH&S Regs).
- 6.3. Employees who may have been exposed to a blood borne pathogen in an exposure incident will be advised to immediately seek medical attention

Comprehensive School Safety Plan

**2024-2025
School Year**

School: Smiley Elementary School
CDS Code: 36-67843-6036586
District: Redlands Unified School District
Address: 1210 West Cypress Avenue
Redlands, CA 92373
Date of Adoption: October 24, 2023
Date of Update: October 3, 2024
Date of Review:
- with Staff
- with Law Enforcement
- with Fire Authority

Approved by:





Name	Title	Signature	Date
Nicole Steinhaus	Assistant Principal		
Ofelia Garcia	Office Manager		
Delaney Sobaszek	Teacher		
Ashley Collins	Parent		

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Comprehensive School Safety Plan Purpose

Effective January 1, 2019, Assembly Bill 1747 (Rodriguez), School Safety Plans, became law. This bill requires that during the writing and development of the comprehensive school safety plan (CSSP), the school site council or safety committee consult with a fire department and other first responder entities in addition to currently required entities. It requires the CSSP and any updates made to the plan to be shared with the law enforcement agency, the fire department, and the other first responder entities.

The California Education Code (sections 32280-32288) outlines the requirements of all schools operating any kindergarten and any grades 1 to 12, inclusive, to write and develop a school safety plan relevant to the needs and resources of that particular school.

In 2004, the Legislature and Governor recast and renumbered the Comprehensive School Safety Plan provisions in SB 719 and AB 115. It is the intent of the Legislature in enacting the provisions to support California public schools as they develop their mandated comprehensive safety plans that are the result of a systematic planning process, that include strategies aimed at the prevention of, and education about, potential incidents involving crime and violence on school campuses.

The historical requirement of the Comprehensive School Safety Plan was presented in Senate Bill 187, which was approved by the Governor and chaptered in 1997. This legislation contained a sunset clause that stated that this legislation would remain in effect only until January 1, 2000. Senate Bill 334 was approved and chaptered in 1999 and perpetuated this legislation under the requirement of the initial legislation.

Comprehensive School Safety Plans are required under SB 719 & AB 115 and contains the following elements:

Assessment of school crime committed on school campuses and at school-related functions

- Child abuse reporting procedures
- Disaster procedures
- Suspension and expulsion policies
- Procedures to notify teachers of dangerous pupils
- Discrimination and harassment policies
- School wide dress code policies
- Procedures for safe ingress and egress
- Policies enacted to maintain a safe and orderly environment
- Rules and procedures on school discipline
- Hate crime reporting procedures

The Comprehensive School Safety Plan will be reviewed and updated by March 1st every year. In July of every year, the school will report on the status of its school safety plan including a description of its key elements in the annual school accountability report card.

A copy of the Comprehensive School Safety Plan is available for review at the front office of Smiley Elementary..

Safety Plan Vision

Smiley Elementary School will provide a safe, orderly, and secure environment conducive to learning.

Smiley Elementary School will create a school in which pupils will attend regularly and be safe from both physical and social-psychological harm.

Smiley Elementary School will work collaboratively with the district office and school board to identify, establish and use strategies and programs to comply with school safety laws.

Smiley Elementary School will develop a plan to work cooperatively and collaboratively with parents, pupils, teachers, administrators, counselors and community agencies, including law enforcement, to provide a safe and orderly school and neighborhood.

Smiley Elementary School will develop an academic program that will focus on high expectations of pupil performance and behavior in all aspects of the school experience.

Smiley Elementary School will work collaboratively with other elementary, middle schools and high schools to assist in a smooth transition from one school level to another.

Smiley Elementary School will solicit the participation, views, and advice of teachers, parents, school administrators, and community members and use this information to promote the safety of our pupils, staff and community.

Components of the Comprehensive School Safety Plan (EC 32281)

Smiley Elementary School Safety Committee

Danita Slaughter, Nicole Steinhaus, Art Hernandez, Rebecca Tasch, Delaney Sobaszek, Mike Quesada, Ofelia Garcia

Assessment of School Safety

Smiley Elementary School utilizes data from its California Safe School Assessment and suspension/expulsion reports to evaluate the current status of school crime. We work closely with Children and Family Services and Attendance and the Redlands Police Department to ensure compliance with all reporting, laws and penal code.

Strategies and Programs to Provide and Maintain a High Level of Safety (EC 32281(a)1, items A-J)

Introduction - School Profile

Smiley Elementary School is one of twenty-four schools in the Redlands Unified School District with traditions dating back to 1952. Smiley Elementary School has a diverse pupil student body and is served by a dedicated staff. Both staff and parents comment on the positive changes that are ongoing in our school.

Smiley Elementary School faces challenges in maintaining a safe school. This section of the Comprehensive School Safety Plan will describe programs in place at our school as well as strategies and programs of our school site council for continued improvement in providing a safe, orderly, school environment conducive to learning.

School Crime Status and Reporting

Smiley Elementary School utilizes data from its California Safe School Assessment and suspension/expulsion reports to evaluate the current status of school crime. We work closely with Children and Family Services and Attendance and the Redlands Police Department to ensure compliance with all reporting, laws and penal code.

Personal Characteristics of Pupil & Staff

(Additional Health and Welfare Data available from ICOE aggregated DAT surveys)

Smiley Elementary School has an enrollment of 627 pupils in TK - 5th grades. Pupils from this school come from families with various family mobility. Approximately 56.3% of the pupils are in families receiving Aid to Families with Dependent Children that are eligible for free/reduce lunches. The ethnic makeup of the pupil population is 46.2 % Hispanic, 6.5 % Black, 27.6 % Caucasian and 9.8% Asian. Our pupils have a variety of life experiences. Some pupils have recently arrived from foreign countries while others have never left their neighborhood.

Curriculum and Educational Activities

The course of study includes the basic core curriculum, physical education and enrichment classes such as band, orchestra, music appreciation, physical education, and art..

Pupils have the opportunity to participate in noon and after-school activities. These include recess time play periods during the school day, National School Lunch Program, afterschool Math and Reading Intervention, Tech Club, and YMCA..

Staff provides opportunities and additional activities open to pupils in the areas of technology, school based counseling and PTA events..

(A) Child Abuse Reporting Procedures (EC 35294.2 [a] [2]; PC 11166)

Policy 5141.4: Child Abuse Prevention and Reporting

The Governing Board recognizes that the district has a responsibility to facilitate the prompt reporting of incidents of child abuse and neglect. The Superintendent or designee shall ensure that parents/guardians have access to procedures whereby they can report suspected child abuse at a school site to appropriate child protective agencies

The Superintendent or designee shall develop and implement regulations for use by employees in identifying and reporting child abuse

District employees shall report known or suspected incidents of child abuse in accordance with district regulations and state law. Employees shall cooperate with the child protective agencies responsible for reporting, investigating and prosecuting cases of child abuse.

(cf. 4112.9 - Signed Statements/Child Abuse Reporting Statements)

The Superintendent or designee shall provide training in child abuse identification and reporting for all certificated and classified personnel. (Penal Code 11165.7)

All employees trained in child abuse identification and reporting shall be given, as a part of that training, written notice of the child abuse reporting requirements and the employees' confidentiality rights. (Penal Code 11165.7)

In order to reduce or eliminate unfounded child abuse accusations directed at school employees, child abuse in service training shall include guidance in disciplining students and maintaining ethical relationships with them.

(cf. 3514 - Safety)

(cf. 5142 - Safety)

Duty to Report

Certificated employees and classified employees trained in child abuse identification and reporting shall report known or suspected child abuse to a child protective agency by telephone immediately or as soon as practically possible and in writing within 36 hours. The reporting duties are individual and cannot be delegated to another individual except under circumstances set forth in Penal Code 11166.

Definitions

Child Abuse includes the following:

1. A physical injury inflicted by other than accidental means on a child by another person.
2. Willful cruelty or unjustifiable punishment of a child, or willfully inflicting unjustifiable physical pain or mental suffering, or failure to safeguard a child from these injuries when the child is under a person's care or custody
3. Sexual abuse of a child
4. Neglect of a child or abuse in out-of-home care
5. Unlawful corporal punishment or injury resulting in a traumatic condition

Mandated Reporters are those people defined by law as child care custodians, health practitioners, child visitation monitors and employees of a child protective agency. Mandated reporters include virtually all school employees. The following school personnel are required to report:

Teachers, administrators, supervisors of child welfare and attendance, certificated student personnel employees, employees of care institutions, Headstart teachers, school psychologists, licensed nurses, counselors, presenters of child abuse prevention programs and those instructional aides or other classified employees trained in child abuse reporting.

Child Protective Agencies are those law enforcement and child protective services responsible for investigating child abuse reports, including the local police or sheriff department, county welfare or juvenile probation department and child protective services.

Reasonable Suspicion means that it is objectively reasonable for a person to entertain such a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his/her training and experience, to suspect child abuse. (Penal Code 11166)

Reporting Procedures

To report known or suspects child abuse, any employee (as defined above) shall report by telephone to the local child protective agency immediately. (Child Protective Services 921 County Center, 3 Court, Modesto, CA phone # 525- 6641)

The following information shall be given:

1. The name of the person making the report
2. The name of the child
3. The present location of the child
4. The nature and extent of any injury

Any other information requested by the child protective agency, including the information that led the mandated reporter to suspect child abuse.

When the verbal 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.

Within 36 hours of making the telephone report, the mandated reporter shall complete and mail to the local child protective agency a written report which includes a completed Department of Justice form (DOJ SS 8572).

Mandated reports may obtain copies of the above form either from the district or local child protective agency.

Instructions are included on the form, and reporters may ask the site administrator for help in completing and mailing it; however, the mandated reporter is personally responsible for ensuring that the written report is correctly filed.

Employees reporting child abuse to a child protective agency are encouraged, but not required, to notify the site administrator or designee as soon as possible after the initial verbal report by telephone. When so notified, the site administrator shall inform the Superintendent or designee.

Administrators so notified shall provide the mandated reporter any assistance necessary to ensure that reporting procedures are carried out in accordance with law and district regulations. At the mandated reporter's request, the principal may assist in completing and filing the form.

If the mandated reporter does not disclose his/her identity to a district administrator, he/she shall at least provide or mail a copy of the written report to the site administrator and the district without his/her signature or name.

Legal Responsibility and Liability

Mandated reporters have absolute immunity. School employees required to report are not civilly or criminally liable for filing a required or authorized report of known or suspected child abuse.

A mandated reporter who fails to report an instance of child abuse, which he/she knows to exist or reasonably should know to exist, is guilty of a misdemeanor and is punishable by confinement in jail for a term not to exceed six months or by a fine of not more than \$1,000 or both. The mandated reporter may also be held civilly liable for damages for any injury to the child after a failure to report

When two or more persons who are required to report have joint knowledge of suspected instance of child abuse, and when they so agree, the telephone report may be made by either of them and a single report made and signed by that person.

However, if any person who knows or should know that the person designated failed to make the report, that person then has a duty to make the report.

The duty to report child abuse is an individual duty and no supervisor or administrator may impede or inhibit such reporting duties. Furthermore, no person making such a report shall be subject to any sanction.

Victim Interview

Upon request, a child protective agency representative may upon request interview a suspected victim of child abuse during school hours, on school premises, concerning a report of suspected child abuse that occurred within the child's home. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. (Penal Code 11174.3)

A staff member or volunteer aide selected by a child may decline to be present at the interview. If the selected person accepts, the principal or designee shall inform him/her, before the interview takes place, of the following legal requirements:

1. The purpose of the selected person's presence at the interview is to lend support to the child and enable him/her to be as comfortable as possible.
2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the child.
4. The selected person is subject to the confidentiality requirements of the Child Abuse and Reporting Act, a violation of which is punishable as specified by Penal Code 11167.5.
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 or Child Protective Services Agent

When a child is released to a peace officer or child protective agency and taken into custody as a victim of suspected child abuse, the Superintendent and/or principal shall not notify the parent/guardian as required in other instances of removal of a child from school, but rather shall provide the protective agency with the address and telephone number of the child's parent/guardian. It is the responsibility of the peace officer or agent to notify the parent/guardian of the situation. (Education Code 48906)

Peace officer and child protective services agents will be asked to sign an appropriate release or acceptance of responsibility form.

(cf. 5145.11 - Questioning and Apprehension)

When School Employees are Accused of Child Abuse

Regardless of who child abusers may be, the major responsibilities of mandated reports are to 1) identify incidents of suspected child abuse, and 2) comply with laws requiring the reporting of suspected abuse to proper authorities. Determining whether or not the suspected abuse actually occurred is not the responsibility of the school employee. Such determination and follow-up investigation will be made by a child protective agency.

Pending outcome of an investigation by a child protective agency and before formal charges are filed, the employee may be subject to reassignment or a paid leave of absence.

Upon filing formal charges or upon conviction, the district may take disciplinary action in accordance with law, district policies, regulations and/or collective bargaining agreements. The Superintendent or designee shall seek legal counsel in connection with either the suspension or dismissal of the employee.

(cf. 4117.4 - Dismissal)
(cf. 4118 - Suspension/Disciplinary Action (Certificated))
(cf. 4218 - Suspension/Disciplinary Action (Classified))

Suspected Child Abuse Reporting Procedures

I. Initiating the Report

A. The report is initiated by a telephone report to the appropriate agency.

B. If the suspected child abuse has taken place within the family, call the Enter appropriate Agency Hotline at phone number, 1 (800) 827-8724

C. If the suspected child abuse has taken place outside the family, call the local police department at:

Redlands Police Department
Phone: (909) 798-7681

D. Content of call.

- 1) Name, address and age of child involved.
- 2) Clear description of suspected abuse.

II. Written Report

A. The telephone call is to be followed by completion of the Suspected Child Abuse Report (form 11166.P.C.). These forms are available in the Principal's office at the high school or you may access the form on line at:
http://ag.ca.gov/childabuse/pdf/ss_8572.pdf for a form or immediately call (909) 384-9233 to file a report.

B. The written report is to be addressed to the person to whom the telephone report was made.

C. The written report must follow the phone call within 36 hours.

1. Suspected child abuse within the family,
Agency: Children and Family Services
Address: 150 S. Lena Road, San Bernardino, California 92415

2. Suspected child abuse outside the family should be mailed to the agency to which the report was called -

Adopted: 10/2005
Redlands Police Department
Phone: (909) 798-7681

The reporting party should keep the yellow copy of the Suspected Child Abuse Report form (SS8572) or verification of completion of the reporting obligation.

Caution:

1. The reporting responsibility has not been discharged until both the telephone call and written reports are complete.
2. School personnel are not to engage in any investigation of suspected cases. The investigation will be done by the child protective services office.
3. The reporting responsibility is an individual one which is NOT discharged by report to supervisors or administrators.

(B) Disaster Procedures (EC 35295-35297; GC 8607 and 3100)

Disaster Plan (See Appendix C-F)

Each classroom, office, library and room on campus has a posting of the emergency procedures and evacuation map near the exit door. Emergency procedures are also posted in each classroom notebook which is reviewed at the beginning of the school year for updates. Fire Drills are practiced each month of the school year. Earthquake drills are practiced four times a year and Lock Down drills are practiced yearly.

The Standardized Emergency Management System (SEMS) provides the model for all levels of emergency operations—local, regional and statewide. During a disaster the SEMS serves as an "incident command system" (ICS) with a Site Command post to coordinate leaders in each of six areas—food/water distribution, utilities, first aid, search and rescue, sanitation, and student supervision—through a definite chain of command. The ICS is set up in an Emergency Operations Center, where the leaders of each unit can be present at a single site in order to quickly facilitate communication and coordinate the response. The NSLA disaster preparedness plan shall be available to staff, students and the public in the Smiley office. Smiley's principal is authorized and directed to implement plans as described herein; or take such other action as may, in their judgment, be necessary to save lives and mitigate the effects of disasters. A principal may implement one or more of these emergency actions in coping with a disaster. Maintenance personnel are assigned as liaisons between Incident Command and the school in the event phones are inoperative. The District has furnished Smiley with Site Emergency Radios in the case that standard communications are cutoff. During an emergency, children may only be released to the parent, guardian, designee of parent, or other adult legally responsible for their care. There shall be NO EXCEPTIONS to this policy. The dismissal of children from the school shall be governed by emergency procedures. However, this procedure does not preclude the exercise of professional judgment by an administrator when the circumstances of the situation indicate dismissal to be in the best interest of the child.

Public Agency Use of School Buildings for Emergency Shelters

Public agencies, such as the American Red Cross, may use school buildings, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare. The District or County office shall cooperate with the public agency in furnishing and maintaining the services as the District or County Office may deem necessary to meet the needs of the community.

(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines

Policy 5144.1: Suspension And Expulsion/Due Process

Suspension and Expulsion

The Governing Board recognizes that maintaining an environment which promotes learning and protects the health, safety, and welfare of all students may require the suspension or expulsion of a student from regular classroom instruction. District policies and school site rules shall clearly identify district behavior standards

(cf. 5144 - Discipline)

Except in cases where suspension for a first time offense is warranted in accordance with law, suspension shall be imposed only when other means of correction fail to bring about proper conduct. (Education Code 48900.5)

Expulsion is an action taken by the Board for severe or prolonged breaches of discipline by a student. Except for single acts of a grave nature, expulsion is usually used only when there is a history of misconduct, when other forms of discipline, including suspension, have failed to bring about proper conduct, or when the student's presence causes a continuing danger to other students. (Education Code 48915)

The grounds for suspension and expulsion and the procedures for considering, recommending and/or implementing suspension and expulsion shall be specified in Administrative Regulation.

Each principal shall annually inform all students and parents/guardians of the school's discipline rules and procedures and of the availability of all district policies and regulations dealing with student discipline, suspension and expulsion. (Education Code 35291, 35291.5)

(cf. 5145.6 - Parental Notifications)

Suspended or expelled students shall be excluded from all school-related extracurricular activities during the suspension or expulsion.

cf. 6145 - Extracurricular and Cocurricular Activities)

Zero Tolerance

The Board supports a zero tolerance approach to serious offenses in accordance with state and federal law. This approach makes the removal of potentially dangerous students from the classroom a top priority and ensures the standardized treatment of all students. Staff shall immediately report to the Superintendent/ designee any incidence of offenses specified in law, Board policy, and administrative regulation as cause for suspension or expulsion.

Student Due Process

The Board shall provide for the fair treatment of students facing suspension and expulsion by affording them their due process rights under the law. The administration and staff shall comply with procedures for notices and appeals as specified in regulation. Procedures governing student due process shall conform in all aspects to provisions in law. (Education Codes 48911, 48915 and 48915.5)

Whenever a student is suspended, school officials may (but are not required to) meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

cf. 5119 - Students Expelled from Other Districts

(cf. 5144.2 - Suspension and Expulsion/Due Process - Individuals with Exceptional Needs)

Rights of Complaining Witness

An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental or emotional needs of a student who is the complaining witness. (Education Code 48918.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Educational Code 48918.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies
3. Have a closed hearing during the time he/she testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48918.5)

On-Campus Suspension Program

The Board recognizes that students who are suspended from school frequently have no supervision or guidance during the school hours when they are off campus. The Board believes that in many cases, instead of sending the student off campus, it would be better to address the student's misconduct by keeping the student at school and providing him/her with supervision that is separated from the regular classroom.

The Superintendent or designee shall examine alternatives to off-campus suspension and may establish a suspension program which involves progressive discipline during the school day on campus; using conferences between staff, parents/guardians and students; detention; student study teams or other assessment-related teams; and/or referral to school support services staff.

Required Parental Attendance

The Board believes that parental involvement plays an important role in the resolution of classroom behavior problems. The Board expects that teachers will communicate with parents/guardians when behavior problems arise

Whenever a student is suspended from a class because he/she committed an obscene act, engaged in habitual profanity or vulgarity, disrupted school activities or otherwise willfully defied valid staff authority, the teacher of the class from which the student was suspended may require the student's parent/guardian to attend a portion of a school day in that class. After completing the classroom visit and before leaving school premises, the parent/guardian also shall meet with the principal or designee. (Education Code 48900.1)

The Board encourages teachers, before requiring parental attendance, to make reasonable efforts to have the parent/guardian visit the class voluntarily. The teacher also may consider informing the parent/guardian about available resources which may provide help in the development of parenting skills. Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the student and the parent/guardian and to improve classroom behavior.

Parental attendance may be required on the day the student returns to class or within one week thereafter. The principal or designee shall contact any parents/guardians who do not respond to the request to attend school. The Board recognizes that parental compliance with this policy may be delayed, modified or prevented by serious illness/injury/disability, absence from town, or inability to get certain release time from work.

The teacher shall apply this policy uniformly to all students within the classroom. This policy shall apply only to a parent/guardian who actually lives with the student. (Education Code 48900.1)

District regulations and school-site rules for student discipline shall include procedures for implementing parental attendance requirements.

Parents/guardians shall be notified of this policy before it is implemented and at the beginning of each subsequent school year. (Education Code 48900.1, 35291, 48980)

Decision Not to Enforce Expulsion Order

In cases where expulsion is mandatory pursuant to Education Code 48915(c), the enforcement of an expulsion order shall not be suspended by the Board. In all other cases of expulsion, the order for expulsion may be suspended by the Board, on a case-by-case basis, pursuant to the requirements of law.

Definitions

Suspension from school means removal of a student from on going 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, nor referral to a certificated employee designated by the principal to advise students, nor removal from the class without reassignment to another class or program for the remainder of the period, without sending the student to the principal or designee.

2. Removal from a particular class shall not occur more than once every five school days. (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)

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

School property, for the purposes described in Education Code 48900, includes, but is not limited to, electronic files and databases. (Education Code 48900(s))

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, suspension and expulsion. Transfer students and their parents/guardians shall be notified at the time of enrollment. (Education Code 35291.5, 48900.1, 48980)

(cf. 5144 -Discipline)

(cf. 5145.6 Parental Notifications)

Notification shall include information about the ongoing availability of individual school rules and all district policies and regulations pertaining to student discipline. (Education Code 35291)

(cf. 5145.6 -Parental Notifications)

Grounds for Suspension and Expulsion

Students may be suspended or recommended for expulsion when the Superintendent, principal, or principal's designee at the school in which the student is enrolled determines that the student has done any of the acts listed below:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense. (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However, a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code Board Policy Manual Redlands Unified School District 48900(s))

2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48900(b))

(cf. 5 131 - Conduct)

(cf. 5131. 7 - Weapons and Dangerous Instruments)

3. Unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of, any controlled substance as defined in the Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind. (Education Code 48900(c))

(cf. 5131.6 -Alcohol and Other Drugs)

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance or material and represented same as controlled substance, alcohol beverage or intoxicant. (Education Code 48900(d))
 5. Committed or attempted to commit robbery or extortion. (Education Code 48900(e))
 6. Caused or attempted to cause damage to school property or private property. (Education Code 48900(f))
 7. Stole or attempted to steal school property or private property. (Education Code 48900(g))
 8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products with prior approval of the principal or designee. (Education Code 48900(h))
 9. Committed an obscene act or engaged in habitual profanity or vulgarity. (Education Code 48900(i))
 10. Unlawfully possessed, or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code. (Education Code 48900(j))
 11. Disrupted school activities or otherwise willfully defied 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))
 12. Knowingly received stolen school property or private property. (Education Code 48900(l))
 13. Possessed an imitation firearm, i.e., 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))
 14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code 243.4. (Education Code 48900(n))
 15. 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))
 16. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug soma. (Education Code 48900(p))
 17. Engaged in, or attempted to engage in, hazing as defined in Education Code 32050. (Education Code 48900(q))
 18. Made terrorist threats against school officials and/or school property. (Education Code 48900.7)
- A student in grades 4 through 12 is also subject to suspension or recommendation for expulsion when it is determined that he/she:
19. Committed sexual harassment as defined in Education Code 212.5. (Education Code 48900.2)
 20. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 33032.5. (Education Code 48900.3)
 21. 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 Glasswork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment (Education Code 48900.4)

(cf. 5145.3 -Nondiscrimination/Harassment)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent/principal or within any other school district, including but not limited to the following circumstances:

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.

The Superintendent/principal may use his/her discretion to provide alternatives to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program. (Education Code 48900(r))

cf. 5138 -Conflict Resolution/Peer Mediation)

Alternatives to suspension or expulsion will be used against students who are truant, tardy, or otherwise absent from assigned school activities.

(cf. 5113 -Absences and Excuses)

(cf. 5113.1 - Truancy)

Suspension from Class by a Teacher/Parental Attendance

A teacher may suspend any student from the teacher's class for any of the acts listed under "Grounds for Suspension and Expulsion" above for the day of the suspension and the day following. (Education Code 48910)

Suspension from class means the removal of a student from class by a teacher for the day of the suspension and the next day. A teacher may suspend a student from class and may also refer a student for consideration of suspension from school for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

When suspending a student from his/her class, the teacher shall immediately report this action to the principal and send the student to the principal for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been suspended.

As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the suspension. A counselor or psychologist should attend the conference if it is practicable, and a school administrator may attend if either the parent/guardian or teacher so request.

A suspended student shall not be returned to class during the period of suspension without the approval of the teacher of the class and the principal. (Education Code 48910)

A student suspended from class shall not be placed in another regular class during the period of suspension. However, if a student is assigned to more than one class per day, he/she may be placed in any 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 suspended student to complete any assignments and tests missed during the suspension. (Education Code 48913)

When a teacher requires a parent/guardian to attend school in accordance with Board Policy, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is required pursuant to law. (Education Code 48900.1)

1. This notice shall also tell the parent/guardian when his/her presence is expected and by what means he/she may arrange any necessary change.
2. The notice shall describe the protections afforded to the parent/guardian as an employee by Labor Code 230.7.
3. The notice shall state that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student.

The teacher shall remind the parent/guardian to meet with the principal or designee after completing the classroom visit and before leaving school premises.

Suspension By Superintendent, Principal Or Principal's Designee

A Superintendent, principal, or principal's designee may suspend a student from a school for any of the acts listed under "Grounds for Suspension and Expulsion" above for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

The Superintendent or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife, as defined in Education Code 48915(g), at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item 414 under "Grounds for Suspension and Expulsion" above.
5. Possession of an explosive as defined in 18 USC 921.

Suspension may be imposed upon a first offense if the Superintendent, principal or designee determines the student violated items (i) - (v) listed in "Grounds For Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903 and 48912)

Suspension Procedures

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the principal or designee or the Superintendent or designee between 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 and the evidence against him/her and shall be given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911(b))

This conference may be omitted if the principal, designee or the Superintendent or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or school personnel. If the pre-suspension conference is not held, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference will be held as soon as the student is physically able to return to school. (Education Code 48911(c))

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior

A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee, who in turn will inform the Board.

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 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 also state the date and time when the student may return to school.

Should school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may also add that state law requires the parent/guardian to respond to such request without delay.

4. Parent/Guardian Conference: Whenever a student is suspended, school officials may meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such conference. The student may not be denied readmission solely because the parent/guardian failed to attend. (Education Code 48911)

5. Extension of Suspension: If the expulsion of a suspended student is being considered by the Board, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision. (Education Code 48911(g))

Any extension of the original period of suspension shall be 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. Extension of the suspension may be made only if 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(g))

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal or Principal's 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 if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. 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 may hold closed sessions if a public hearing would lead to disclosure of information which would violate a student's right to privacy under Education Code 49073-49079.

(cf. 9321 -Closed Session Purposes and Agendas)

The Board shall provide the student with written notice of the closed session by registered or certified mail. Upon receiving this notice the student 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 shall be in closed session. (Education Codes 48912)

Authority to Expel

A student may be expelled only by the Board. The Board shall expel, as required by law, any student found to have committed certain offenses listed below under "Mandatory Recommendation and Mandatory Expulsion."

The Board may also order a student expelled for any of the acts listed above under "Grounds for Suspension and Expulsion" upon recommendation by the principal, Superintendent, hearing officer or administrative panel, based on finding either or both of the following: (Education Code 48915(b) and (e))

1. That other means of correction are not feasible
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

Mandatory Recommendation For Expulsion

The principal, Superintendent or designee shall recommend a student's expulsion for any of the following acts, unless the principal or Superintendent or designee finds, and reports in writing to the Board, that expulsion is inappropriate due to particular circumstances which shall be set out in the report of the incident:

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife as defined in Education Code 48915(g), explosive 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 the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee.

Mandatory Recommendation And Mandatory Expulsion

The principal, Superintendent or designee shall recommend that the Board expel any student found at school or at a school activity off school grounds to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48915(c).1)
2. Brandishing a knife as defined in Education Code 48915(g) at another person. (Education Code 48915(c).2)
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058. (Education Code 48915(c).3)
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above. (Education Code 48915(c).4)
5. Possessing an explosive as defined in 18 USC 921.

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

Student's Right to Expulsion Hearing

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred. (Education Code 48918(a))

The student is entitled to 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 district's discretion. (Education Code 48918(a))

If the district finds it impracticable 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))

Once the hearing starts, all matters shall be pursued with reasonable diligence and concluded without unnecessary delay. (Education Code 48918(a))

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 48915.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Education Code 48915.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing.
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies.
3. Have a closed hearing during the time he/she testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48915.5)

Written Notice of the Expulsion Hearing

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least ten 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. A parent/guardian of a student expelled for acts described in paragraphs through

4 of Education Code 48915(a), seeks enrollment in another district they must inform the new district of the student's status with the expelling district, pursuant to Education Code 48915.1.

(cf. 5119 -Students Expelled from Other Districts)

5. The opportunity for the student or the student's parent/guardian to appear in person or to employ and be represented by counsel.
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.

Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and Education Code 35145, the Board shall conduct the hearing or arrange for an alternative 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 request is made, the meeting shall be public

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to deliberate and determine if the student should be expelled. If the Board admits any other person to the closed session, the parent/guardian, the student, counsel of the student and counsel of the parent/guardian shall also be allowed to attend the closed session. (Education Code 48918(c))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to have his/her testimony heard in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including but not limited to videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

2. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, so long as a reasonably accurate written and complete transcription of the proceedings can be made. (Education Code 48918(g))

3. Presentation of Evidence: While technical rules of evidence do not apply to such hearings, 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 must be supported by substantial evidence that the student committed any of the above acts listed under "Grounds for Suspension and Expulsion" above. Findings of fact shall be based solely on the evidence at the hearing.

While no evidence 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) and

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 Witness: The following procedures shall be observed when hearings involve allegations of sexual assault or sexual battery by a student: (Education Code 48918)

a. Any complaining witness shall be given five days' notice before being called to testify.

b. Any complaining witness shall be entitled to have up to two adult support persons, including but not limited to a parent/guardian or legal counsel, present during his/her testimony.

c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.

d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.

e. If one or both support persons are also witnesses, the hearing shall be conducted according to Penal Code 868.5.

f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard.

Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.

g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.

(1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.

(2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.

(3) The person conducting the hearing may:

(a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness.

(b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.

(c) Permit one of the support persons to accompany the complaining witness to the witness stand.

6. Decision Within Ten Days: The Board's decision on whether to expel a student shall be made within ten school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

7. Decision Within 40 Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative 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. Alternatively, the Board may 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(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified in "Conduct of Expulsion Hearing" above.

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 student shall be immediately reinstated. (See "Reinstatement" below.) The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers and with the student's parent/guardian. (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))

The hearing officer or administrative panel may recommend that the Board suspend the expulsion for a period of one year. (See "Suspension of Expulsion" below.)

The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Stipulated Expulsions

It is the policy of the Redlands Unified School District that, where approved by the Superintendent or designee, parents/guardians may agree to the expulsion of their pupil by stipulation without necessity of a hearing. This process will expedite the pupil's school placement and may expedite the rehabilitation process.

A stipulated expulsion must be purely voluntary. No district administrator or staff member may coerce a pupil, parent or guardian into entering into such a stipulation. Parents/guardians will be given three calendar days to decide on a stipulated expulsion agreement.

If the parent/guardian requests a stipulated expulsion, the Superintendent or designee will promulgate the stipulated agreement. If at any time the parent/guardian decides not to pursue a stipulated agreement, the expulsion proceedings and timelines, extended by the length of the period for consideration of the stipulation, will be reinstated. The stipulated agreement will be presented to the Board for final consideration.

The stipulated agreement will include the terms and conditions of the expulsion order, including alternative placement and a rehabilitation plan to be completed before the student can be re-admitted to the district.

Final Action by the Board

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel, the final action to expel must be taken by the Board at a public meeting. (Education Code 489180)) The Board shall maintain a record of each expulsion, including its cause. Expulsion records shall be non- privileged, disclosable public records.

(cf. 9321.1 - Closed Session Actions and Reports)

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

Upon ordering the 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 an act listed under "Mandatory Recommendation and Mandatory Expulsion" above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. (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 of the student at the time of review for readmission.
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service and other rehabilitative programs.
3. Such other recommendations as the Board approves.

With parental 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)

Upon expulsion, a copy of readmission procedures will be made available to the student and his/her parent/guardian.

Written Notice to Expel

The Superintendent or designee shall send written notice of the decision to expel to the student or parent/guardian. The notice shall include the following:

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed in Education Code 48900(a)-(o), Education Code 48900.2-48900.4 and Education Code 48915(c). (Education Code 48900.8)

2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian. (Education Code 48916)

3. Notice of the right to appeal such expulsion to the County Board of Education. (Education Code 48918)

4. Notice of the alternative educational placement to be provided to the student during the time of expulsion. (Education Code 48918)

5. The notice also shall inform the student or parent/guardian of his/her 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)

Suspension of Expulsion

The Board, upon voting to expel a student, may suspend the enforcement of the expulsion order for not more than one calendar year. When deciding whether to suspend an expulsion, the Board shall take into account the following criteria:

1. The student's previous behavior.
2. The seriousness of the misconduct.
3. The student's attitude toward the misconduct and his/her willingness to follow a rehabilitation program.

The suspension of the enforcement of an expulsion shall be governed by the following: (Education Code 48917)

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.

2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status.

3. The suspension of expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion" above or violates any of the district's rules and regulations governing student conduct.

4. When suspension of expulsion order is revoked, a student may be expelled under the terms of the original expulsion order

5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expungement of any or all records of the expulsion proceedings.

6. Suspension 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 of Education.

7. 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 also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education. (Education Code 48918(i))

Right to Appeal

The student or parent/guardian is entitled to file an appeal of the Board's decision to the County Board of Education.

The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion action is suspended and the student is placed on probation. (Education Code 48919)

Post-Expulsion Placements

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 such a site.
3. Not housed at the school site attended by the student at the time of suspension.

(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for acts described in items #6 through # 13 and # 17 through # 19 under "Grounds for Suspension and Expulsion" above may be instead referred to a program of study that is provided at another comprehensive middle, junior, or senior high school, or at an elementary school.

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)

Reinstatement

When the Board accepts a recommendation against expulsion or makes its own decision after the hearing not to expel, the decision is final and the student shall be reinstated immediately. The Superintendent or designee shall place the student in any classroom program, other instructional program, rehabilitation program, or any combination of such programs following consultation with district personnel, including the teacher involved, and with the student's parent/guardian. (Education Code 48918(e))

Readmission

An expulsion order shall remain in effect until the Board may order the readmission of the student.

Readmission procedures shall be as follows:

1. A written request for review of expulsion action and request for readmission shall be submitted by the parent/guardian to the Superintendent or designee.
2. The Superintendent or designee will hold a conference with the parent/guardian and the student.
3. At the conference the conditions for readmission will be reviewed. The Superintendent or designee shall verify that the rehabilitation plan has been met.
4. School regulations will be reviewed and the student and parent/guardian will be asked to indicate in writing their willingness to comply with these regulations.
5. The Superintendent or designee will transmit the request for readmission to the Board, along with his/her recommendation. The Board shall consider the request in closed session if the information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it will be honored.
6. The Superintendent or designee will notify the student or parent/guardian, by registered mail, of the district's decision regarding readmission.
7. 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)
8. 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. (Education Code 48916)

9. 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)

Maintenance of Records

The Board will maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls, within five days of a written request by the admitting school. (Education Code 48900.8, 48918(k))

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district. (Education Code 48915.1)

cf. 5119 - Students Expelled from Other Districts)

(cf. 5125 - Student Records)

Notifications and Reports

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering or sale of controlled substances, alcohol, or intoxicants of any kind.

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 also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

Outcome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion.
2. The specific grounds for each recommended expulsion.
3. Whether the student was subsequently expelled.
4. Whether the expulsion order was suspended.
5. The type of referral made after the expulsion.
6. The disposition of the student after the end of the expulsion period.

Suspension and Expulsion/Due Process

Redlands Unified
Administrative Regulation
AR 51441
Adopted June 27, 1995
Students

Definitions

Suspension from school 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. Removal from a particular class shall not occur more than once every five school days.

Expulsion means removal of a student from the immediate supervision and control, or the general supervision, of school personnel. (Education Code 48925)

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian or legal counsel. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

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, suspension and expulsion. Transfer students and their parents/guardians shall be notified at the time of enrollment. (Education Code 35291.5, 48900.1, 48980)
(cf. 5144 - Discipline)

Notification shall include information about the ongoing availability of individual school rules and all district policies and regulations pertaining to student discipline. (Education Code 35291)
(cf. 5145.6 - Parental Notifications)

Grounds for Suspension and Expulsion

A student may be subject to suspension or expulsion when it is determined that he/she:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense. (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aide or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code 48900(s))

2. Possessed, sold, or otherwise furnished any firearm. Knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48900(b))
(cf. 5131 - Conduct)
(cf. 5131.7 - Weapons and Dangerous Instruments)

3. Unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of, any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind. (Education Code 48900(c))
(cf. 5131.6 - Alcohol and Other Drugs)

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid, substance or material and represented same as controlled substance, alcohol beverage or intoxicant. (Education Code 48900(d))
5. Committed or attempted to commit robbery or extortion. (Education Code 48900(e))
6. Caused or attempted to cause damage to school property or private property. (Education Code 48900(f))
7. Stole or attempted to steal school property or private property. (Education Code 48900(g))
8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products (Education Code 48900(h))
9. Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))
10. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5. (Education Code 48900(j))
11. Disrupted school activities or otherwise willfully defied 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))
12. Knowingly received stolen school property or private property. (Education Code 48900(l))
13. Possessed an imitation firearm, i.e., 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))
14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code 243.4. (Education Code 48900(n))
15. 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))
16. Made terrorist threats against school officials and/or school property. (Education Code 48900.7)
Pursuant to Education Code 48900.7, the making of a terrorist threat includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person or property damage in excess of \$1,000.00, 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.
A student in grades 4 through 12 is also subject to suspension or recommendation for expulsion when it is determined that he/she:
17. Committed sexual harassment as defined in Education Code 212.5. (Education Code 48900.2)
Pursuant to Education Code 48900.2 the conduct constitutes harassment when considered from the perspective of a reasonable person of the same gender as the victim to be 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.
(cf. 5145.7 - Sexual Harassment)
18. 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)
(cf. 5145.9 - Hate-Motivated Behavior)
Education Code 233 defines "hate violence" as any act punishable under Penal Code 422.6, 442.7 or 422.75. Such acts include injuring or intimidating another person, interfering with the exercise of a person's civil rights, or damaging a person's property because of the person's race, color, religion, ancestry, national origin, disability, gender or sexual orientation.

19. Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading student rights by creating an intimidating or hostile educational environment. (Education Code 48900.4)
(cf. 5145.3 - Nondiscrimination/Harassment)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent or principal or within any other school district, including but not limited to the following circumstances: (Education Code 48900)

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.

The Superintendent or principal may use his/her discretion to provide alternative to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program.
(Education Code 48900(r))

Alternatives to suspension or expulsion will be used with students who are truant, tardy, or otherwise absent from assigned school activities.

(cf. 5113 - Absences and Excuses)
(cf. 5113.1 - Truancy)

Removal from Class by a Teacher/Parental Attendance

A teacher may suspend any student from his/her class for the remainder of the day and the following day for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

A teacher also may refer a student to the principal or designee for consideration of suspension from school. (Education Code 48910)

When removing a student from his/her class, the teacher shall immediately report this action to the principal and send the student to the principal for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been removed.

As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the removal. A counselor or psychologist should attend the conference if it is practicable, and a school administrator may attend if either the parent/guardian or teacher so requests.

A student removed from class shall not be returned to class during the period of removal without the approval of the teacher of the class and the principal. (Education Code 48910)

A student removed from class shall not be placed in another regular class during the period of removal. However, if a student is assigned to more than one class per day, he/she may be placed in any other regular classes except those held at the same time as the class from which the student was removed. (Education Code 48910)

The teacher of any class from which a student is removed may require the student to complete any assignments and tests missed during the removal. (Education Code 48913)

Pursuant to Board policy, a teacher may provide that the parent/guardian of a student whom the teacher has removed attend a portion of a school day in his/her child's classroom. When a teacher makes this request, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is requested pursuant to law. (Education Code 48900.1)

This notice shall also:

1. Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternate date.
2. Describe the legal protections afforded to the parent/guardian as an employee under Labor Code 230.7.
3. State that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student.

4. Ask the parent/guardian to meet with the principal after the visit and before leaving school, as required by Education Code 48900.1.

Suspension by Superintendent, Principal or Principal's Designee

The Superintendent, principal or principal's designee may suspend a student from a school for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

The Superintendent or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife, as defined in Education Code 48915(g), at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion".
5. Possession of an explosive as defined in 18 USC 921.

Suspension also may be imposed upon a first offense if the Superintendent, principal or designee determines the student violated items #1-5 listed in "Grounds for Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903, 48912)

The Superintendent or designee may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which a student may be suspended in any school year. (Education Code 48903)

Suspensions shall be initiated according to the following procedures:

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the principal, designee or the Superintendent 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 and the evidence against him/her; the student shall be given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911(b))

This conference may be omitted if the principal, designee or the Superintendent determines that an emergency situation exists. An "emergency situation" involves 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 a conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference will be held as soon as the student is physically able to return to school. (Education Code 48911(c))

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee.

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 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 also state the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may add that state law requires the parent/guardian to respond to such requests without delay.

4. Parent/Guardian Conference: Whenever a student is suspended, school officials may meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such conference. The student may not be denied readmission solely because the parent/guardian failed to attend. (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. (Education Code 48911(g))

Any extension of the original period of suspension shall be 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. Extension of the suspension may be made only if 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)

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal or Principal's 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 if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. 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 closed sessions if a public hearing would lead to disclosure of information violating a student's right privacy under Education Code 49073-49079.

(cf. 9321 - Closed Session Purposes and Agendas)

The Board shall provide the student and his/her parent/guardian with written notice of the closed session by or certified mail. 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 Codes 35146, 48912)

On-Campus Suspension Program

Students for whom an expulsion action has not been initiated and who pose no imminent danger or threat to the school may be assigned to a separate, supervised suspension classroom for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

1. The supervised suspension classroom shall be staffed in accordance with law.
2. The student shall have access to appropriate counseling services.
3. The supervised suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.
4. Each student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom. The teacher 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 a supervised 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 shall be made in writing. (Education Code 48911.1)

Authority to Expel

A student may be expelled only by the Board. The Board shall expel, as required by law, any student found to have committed certain offenses listed below under “Mandatory Recommendation and Mandatory Expulsion.”

The Board also may order a student expelled for any of the acts listed under “Grounds for Suspension and Expulsion” upon recommendation by the principal, Superintendent, hearing officer or administrative panel, based on finding 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.

Mandatory Recommendation for Expulsion

Unless the principal, Superintendent or designee finds that expulsion is inappropriate due to particular circumstances, the principal, Superintendent or designee shall recommend a student’s expulsion for any of the following acts: (Education Code 48915 (a))

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife as defined in Education Code 48915(g), explosive or other dangerous object of no reasonable use to the student.
3. Unlawful possession of any controlled substance, as listed in the Health and Safety Code 11053-11058, except for the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee.

Mandatory Recommendation and Mandatory Expulsion

Note: The Attorney General has determined, in 80 Ops.Cal. Atty. Gen. 347 (1997), that a district may not adopt a zero tolerance policy mandating expulsion of a student for a first offense of possession of a controlled substance or alcohol.

The principal, Superintendent or designee shall recommend that the Board expel any student found at school or at a school activity to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife as defined in Education Code 48915(g) at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under “Grounds for Suspension and Expulsion” above.
5. Possessing an explosive as defined in 18 USC 921.

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

The initial recommendation for consideration of expulsion is that of the school principal or the Superintendent. Designees may not make this type of recommendation.

The recommendation for consideration of expulsion shall be submitted to the Director, Office of Student Services, who will review the material and recommend:

1. Reassignment to appropriate regular education program.
2. Refer student to Alternative Program; i.e., Community School, Independent Study, Continuation or Opportunity School, or other district programs.
3. Refer the matter to the Discipline Review Panel for further consideration.

When a case is referred to the discipline Review Panel, the panel shall question school personnel who have information on the incident and the behavior record of the student charged and weighs the evidence presented.

The panel shall, in the case of an expulsion consideration, weigh information presented to determine:

- a. Is the evidence sufficient to support consideration by the expulsion panel?

- b. Has the district, through the schools involved, considered or utilized alternatives to expulsion when possible?
- c. Have due process procedures been adhered to?

The recommendation shall be either to proceed with the expulsion or to utilize an existing practical alternative in lieu of expulsion.

If the district (school) has not adhered to due process requirements, the student shall be returned to school immediately.

If the Discipline Review Panel meets to consider a matter other than an expulsion, it shall provide its best judgment as to an effective alternative program or plan to action.

The recommendation of the Discipline Review Panel shall be forwarded to the Director, Office of Student Services, who shall then review the facts, concur, veto or modify the recommendation.

4. That an expulsion panel be convened.

At the time a recommendation for expulsion is submitted, a hearing shall be scheduled by the Superintendent or designee to determine whether the suspension shall be extended. If the decision is to extend the suspension, the period of time shall be until the Board has rendered a decision or until the expulsion process is otherwise terminated.

The extension of suspension shall be based upon determination by the Superintendent or designee that the presence of the student at the school or in an alternative school placement would cause a danger to persons or property or a threat of disrupting the instructional process. This extension shall be imposed only after the student and the parent/guardian have been given the opportunity to be present at a hearing conducted by the Superintendent or designee. At this time, the student and parent/guardian shall be given the opportunity to be heard and present any information that might bear upon the decision.

Materials which support the decision of the person recommending the expulsion shall be prepared and submitted to the Office of Student Services. The departments of Attendance, Guidance, Special Education and/or Health may be requested to assist in the preparation of this material.

Student's Right to Expulsion Hearing

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred. (Education Code 48918 (a))

The student is entitled to 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 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 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 no 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))

Waiver of Hearing (Default Proceedings)

If the parent/guardian agrees that their son/daughter behaved essentially in the manner stated in the principals letter recommending expulsion and that such behavior constitutes a violation of the California Education Code, Section 48900, 48900.2, 48900.3, 48900.4, 48900.7 and/or 48915 a suspendable/expellable offense, the parent/guardian may request to waive the Administrative Hearing Panel.

When the parent/guardian agrees to waive the Administrative Hearing Panel, they also waive all notification and timelines related to the expulsion hearing process, along with their rights to appeal the determination of the Board.

The signed affidavit and findings of fact will be submitted to the Board for their approval. The Board has the discretionary power to accept, reject, or modify all recommendations.

Rights of Complaining Witness

An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental or emotional needs of a student who is the complaining witness. (Education Code 48918.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to all the following: (Education Code 48918.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing.
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies.
3. Have a closed hearing during the time he/she testifies.

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48918.5)

Written Notice of the Expulsion Hearing (Education Code 48918(b))

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least 10 calendar days before the date of the hearing. The notice shall include: (Education Code 48900.8, 48918 (b))

1. The date and place of the hearing.
2. A statement of the specific facts, charges and offense upon which the proposed expulsion is based.
3. A copy of district disciplinary rules which relate to the alleged violation.
4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment. This obligation applies when a student is expelled for acts other than those described in Education Code 48915 (a) or (c).
(cf. 5119 - Students Expelled from other Districts)

5. The opportunity for the student or the student's parent/guardian to appear in person and/or be represented by legal counsel or by a non-attorney advisor.

Legal counsel means an attorney or lawyer who is admitted to the practice of law in California and is an active member of the State Bar of California.

Non-attorney advisor 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.

Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and 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 request is made, the meeting shall be public, unless another student's privacy rights would be violated.

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to determine if the student should be expelled. If the Board admits any other person to the closed session, the parent/guardian, the student, and the counsel of the student, shall also be allowed to attend the closed session. (Education Code 48918(c))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to have his/her testimony heard in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including but not limited to videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

2. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate written and complete transcription of the proceedings can be made. (Education Code 48918(g))

3. Subpoenas: Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with the Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20, formerly 11525. (Education Code 48918(i))

Any objection raised by the student or the Superintendent or designee to the issuance of subpoenas may be considered by the Board in closed session, or in open session if so requested by the student, before the meeting. The Board's decision in response to such an objection shall be final and binding. (Education Code 48918(i))

If the Board determines, or if the hearing officer or administrative panel finds and submits to the Board, that a witness would be subject to unreasonable risk of harm by testifying at the hearing, a subpoena shall not be issued to compel the personal attendance of that witness at the hearing. However, that witness may be compelled to testify by means of a sworn declaration as described in item #4 below. (Education Code 48918(i))

4. Presentation of Evidence: While technical rules of evidence do not apply to expulsion hearings, 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 must be supported by substantial evidence that the student committed any of the acts listed in "Grounds for Suspension and Expulsion" above.

Findings of fact shall be based solely on the evidence at the hearing. While no evidence 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) and (h))

In cases where a search of a student's person or property has occurred, evidence describing the reasonableness of the search shall be included in the hearing record.

5. Testimony by Complaining Witnesses: The following procedures shall be observed when hearings involve allegations of sexual assault or sexual battery by a student: (Education Code 48918)

- Any complaining witness shall be given five days' notice before being called to testify.
- Any complaining witness shall be entitled to have up to two adult support persons, including but not limited to a parent/guardian or legal counsel, present during his/her testimony.
- Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- If one or both support persons are also witnesses, the hearing shall be conducted according to Penal Code 868.5.

f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.

g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.

(1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.

(2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.

(3) The person conducting the hearing may:

(a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness.

(b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.

(c) Permit one of the support persons to accompany the complaining witness to the witness stand.

6. Decision Within 10 Days: The Board's decision on whether to expel a student shall be made within 10 school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

7. Decision Within 40 Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

Instead of conducting an expulsion hearing itself, the Board may contract with the county hearing officer or with the Office of Administrative Hearings of the State of California for a hearing officer. Alternatively, the Board may 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(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified in "Conduct of Expulsion Hearing."

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 student shall be immediately reinstated. (See "Reinstatement.") The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers, and with the student's parent/guardian. (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 for a period of one year. (See "Decision Not to Enforce Expulsion Order" below.)

The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

The Discipline Review Panel

The Discipline Review Panel will consist of elementary educators when a review is being made of an elementary student and of secondary educators when a review is being made of secondary student.

1. The Discipline Review Panel shall hear the following types of disciplinary cases:

a. Requests for expulsion from site principals or the Superintendent.

b. School site administrative requests for assistance (non-expulsion situations).

2. Each discipline review panel shall consist of three certificated persons plus a chairperson and shall consist of elementary educators when a review is being made of an elementary student and of secondary educators when a review is being made of a secondary student. A panelist may not serve on any panel involving a student who is currently attending the school in which he/she is assigned. A representative from Student Services shall be a nonvoting member of each panel.

A chairperson and assistant chairperson, to serve when the chairperson is unable to serve, shall be appointed by the Superintendent or designee and shall serve at his/her pleasure. Neither shall be a member of the Student Services staff.

A pool of panelists shall be established which shall be composed of personnel who have served or are currently serving as members of administrative expulsion panels. The committee chairman shall select members to serve on individual panels.

The meetings of the discipline review panel are open to school district personnel only.

The duties of the Discipline Review Panel are as follows:

1. The chairperson shall call a meeting of the panel as soon as possible, but no later than 10 school days after the receipt of notice of a pending case.
2. A recommendation must be forwarded to the Director, Office of Student Services, within three days of the review hearing.
3. In the event a member of the committee cannot be present at a meeting, the Director, Office of Student Services, will appoint an alternate from the pool to attend.

Final Action by the Board

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel, the final action to expel shall be taken by the Board at a public meeting. (Education Code 48918(j))

(cf. 9321.1 - Closed Session Actions and Reports)

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

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 an act listed under "Mandatory Recommendation and Mandatory Expulsion" above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. (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 of the student at the time of review for readmission.
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service and other rehabilitative programs.

With parental 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 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 in Education Code 48900 (a)-(o), Education Code 48900.2-48900.4, Education Code 48915 (c) and (Education Code 48900.8).
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian. (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Governing Board. (Education Code 48918)
4. Notice of the alternative educational placements 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 Not to Enforce Expulsion Order

In accordance with Board policy, when deciding whether to suspend the enforcement of an expulsion, the Board shall take into account the following criteria:

1. The student's pattern of behavior.
2. The seriousness of the misconduct.
3. The student's attitude toward the misconduct and his/her willingness to follow a rehabilitation program.

The suspension of the enforcement of an expulsion shall be governed by the following: (Education Code 48917)

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.
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status.
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" above or violates any of the district's rules and regulations governing student conduct.
4. When the suspension of the enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order.
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings.
6. 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 County Board of Education.
7. 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 also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education. (Education Code 48918 (j))

Right to Appeal

The student or parent/guardian is entitled to file an appeal of the Board's decision to the County Board of Education. The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion action is suspended and the student is placed on probation. (Education Code 48919)

Post-Expulsion Placements

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 such a site.
3. Not housed at the school site attended by the student at the time of suspension.

(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for acts described in items #6 through #13 and #17 through #19 under "Grounds for Suspension and Expulsion" may be instead 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

Readmission procedures shall be as follows:

1. On the date set by the Board when it ordered the expulsion, the district shall consider readmission of the student. (Education Code 48916)

2. 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.
3. The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session if information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it shall be honored.
4. 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.
5. 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)
6. 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. (Education Code 48916)
7. 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)

Maintenance of Records

The Board shall maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls, within five days of a written request by the admitting school. (Education Code 48900.8, 48918(k))

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district. (Education Code 48915.1)

(cf. 5119 - Students Expelled from Other Districts)

(cf. 5125 - Student Records)

Notifications 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 also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering or sale of controlled substances, alcohol, or intoxicants of any kind. (Education Code 48902)

Ouome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion.
2. The grounds for each recommended expulsion.
3. Whether the student was subsequently expelled.
4. Whether the expulsion order was suspended.
5. The type of referral made after the expulsion.
6. The disposition of the student after the end of the expulsion period.

(D) Procedures to Notify Teachers of Dangerous Pupils (EC 49079)

Whenever a student is identified as violent or dangerous per E.C. 49079 the teacher will be informed by the principal. The teacher shall keep this information in confidence and must not further disseminate it. However, if the teacher believes that the student is improperly placed (or is an immediate danger) these opinions (and related observations) should be shared with the principal immediately. The District office also has a responsibility to insure that all appropriate actions are taken to identify, notify and support necessary interventions with regard to violent or dangerous pupils. Student Services Department notifies Principals at the beginning of each school year of students who were suspended in the prior year. Principals, in turn, notify the current teacher.

(E) Sexual Harassment Policies (EC 212.6 [b])

Policy 4119.11: Sex Discrimination and Sex-Based Harassment

The Governing Board is committed to providing a safe work environment that is free of harassment and intimidation. The Board prohibits sexual harassment against district employees by anyone, in any manner, and prohibits retaliatory action or behavior against any persons who complains, testifies, or otherwise participates in the complaint process established pursuant to this policy and accompanying administrative regulation. This policy shall apply to all district employees, interns, volunteers, contractors, job applicants, and other persons with an employment relationship with the district.

(cf. 0410 - Nondiscrimination in District Programs and Activities) (cf. 4030 - Nondiscrimination in Employment)

Sexual harassment includes, but is not limited to, harassment that is based on the sex, gender, gender identity, gender expression, or sexual orientation of the victim and harassment based on pregnancy, childbirth, or related medical conditions.

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation, and correction of sexual harassment, including but not limited to:

1. Providing training to all staff in accordance with law and administrative regulation.
2. Publicizing and disseminating the district's sexual harassment policy to staff.
3. Ensuring prompt, thorough, equitable, and fair investigation of complaints
4. Taking timely and appropriate corrective/remedial actions which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments.

The Superintendent or designee shall periodically evaluate the effectiveness of the district's strategies to prevent and address harassment. Such evaluation may involve conducting regular anonymous employee surveys to assess whether harassment is occurring or is perceived to be tolerated, partnering with researchers or other agencies with the needed expertise to evaluate the district's prevention strategies, and using any other effective tool for receiving feedback on systems and/or processes. As necessary, changes shall be made to the harassment policy, complaint procedures, or training.

Sexual Harassment Reports and Complaints

Any district employee who feels that he/she has been sexually harassed in the performance of their district responsibilities or who has knowledge of any incident of sexual harassment by or against another employee shall immediately report the incident to his/her supervisor, the principal, other district administrator, or the district's Title IX Coordinator. However, an employee may bypass his/her supervisor in filing a complaint if the supervisor is the subject of the complaint. A supervisor, principal, or district administrator who receives a harassment complaint shall promptly notify the Title IX Coordinator.

Once notified, the Title IX Coordinator shall ensure the complaint or allegation is addressed through AR 4119.12/4219.12/4319.12 – Title IX Sexual Harassment Complaint Procedures or AR 4030- Nondiscrimination in Employment, as applicable. Because a complaint or allegation that is dismissed or denied under the Title IX complaint procedure may still be subject to consideration under state law, the Title IX Coordinator shall ensure that any implementation of AR 4119.12/4219.12/4319.12 concurrently meets the requirements of AR 4030.

Notwithstanding the above, BP/AR 4119.12/4219.12/4319.12 and 4030 shall under no circumstances be used to resolve complaints brought by, on behalf of, or against students. All complaints brought by, on behalf of, or against students that allege "sexual harassment" as that term is defined in the federal regulations implementing Title IX of the Education Amendments of 1972 (see 34 C.F.R. § 106, et seq.) shall be investigated and resolved under BP/AR 5145.71. All complaints brought by, on behalf of, or against students that do not meet the definition of "sexual harassment" as set forth in the Title IX implementing regulations shall be investigated and resolved under BP/AR 1312.3.

(cf. 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaints)

The Title IX Coordinator shall offer supportive measures to the complainant and respondent, as deemed appropriate under the circumstances.

Upon investigation of a sexual harassment complaint, any district employee who engages, or participates in sexual harassment, or who aids, abets, incites, compels, or coerces another to commit sexual harassment in violation of this policy is subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Reports) (cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4218 -

Dismissal/Suspension/Disciplinary Action)

Regulation 4119.12: Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures

The complaint procedures described in this administrative regulation shall be used to address any complaint governed by Title IX of the Education Amendments of 1972 alleging that a district employee, while in an education program or activity in which a district school exercises substantial control over the context and respondent, was subjected to one or more of the following forms of sexual harassment: (34 CFR 106.30, 106.44)

1. A district employee conditioning the provision of a district aid, benefit, or service on a person's participation in unwelcome sexual conduct
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291 (cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

All other sexual harassment complaints or allegations shall be investigated and resolved in accordance with AR 4030

- Nondiscrimination in Employment. The determination of whether the allegations meet the definition of sexual harassment under Title IX shall be made by the district's Title IX Coordinator.

(cf. 4030 - Nondiscrimination in Employment)

Because the complainant has a right to pursue a complaint under AR 4030 for any allegation that is dismissed or denied under the Title IX complaint procedure, the Title IX Coordinator shall ensure that all requirements and timelines for AR 4030 are concurrently met while implementing the Title IX procedure.

Reporting Allegations/Filing a Formal Complaint

An employee who is the alleged victim of sexual harassment may submit a report of sexual harassment to the district's Title IX Coordinator using the contact information listed in AR 4119.11/4219.11/4319.11 - Sexual Harassment or to the employee's direct supervisor or other district administrator, who shall forward the report to the Title IX Coordinator within one day of receiving the report. Upon receiving such a report, the Title IX Coordinator shall inform the complainant of the right to file a formal complaint and the process for filing a formal complaint.

A formal complaint, with the complainant's physical or digital signature, may be filed with the Title IX Coordinator in person, by mail, by email, or by any other method authorized by the district. (34 CFR 106.30)

Even if the alleged victim chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations when a safety threat exists. In addition, the Title IX Coordinator may file a formal complaint in other situations as permitted under the Title IX regulations, including as part of the district's obligation to not be deliberately indifferent to known allegations of sexual harassment. In such cases, the Title IX Coordinator shall provide the alleged victim notices as required by the Title IX regulations at specific points in the complaint process.

The Title IX Coordinator, investigator, decision-maker, or a facilitator of an informal resolution process shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. Such persons shall receive training in accordance with 34 CFR 106.45. (34 CFR 106.45)

Supportive Measures

Upon receipt of a report of Title IX sexual harassment, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures and shall consider the complainant's wishes with respect to the supportive measures implemented. Supportive measures shall be offered as appropriate, as reasonably available, and without charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures shall be nondisciplinary, nonpunitive, and not unreasonably burden the other party, including measures designed to protect the safety of all parties or the district's educational environment or to deter sexual harassment. Supportive measures may include, but are not limited to, counseling, extensions of deadlines, modifications of work schedules, mutual restrictions on contact, changes in work locations, leaves of absence, increased security, and monitoring of certain areas of the campus. (34 CFR 106.30, 106.44)

The district shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the district's ability to provide the supportive measures. (34 CFR 106.30)

Emergency Removal

If a district employee is the respondent, the employee may be placed on administrative leave during the pendency of the formal complaint process. (34 CFR 106.44)

If the respondent is a student, the district may, on an emergency basis, remove the student from the district's education program or activity, provided that the district conducts an individualized safety and risk analysis, determines that removal is justified due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations, and provides the student with notice and an opportunity to challenge the decision immediately following the removal. This authority to remove a student does not modify a student's rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973. (34 CFR 106.44)

Dismissal of Complaint

The Title IX Coordinator shall dismiss a formal complaint if the alleged conduct would not constitute sexual harassment as defined in

34 CFR 106.30 even if proved. The Title IX Coordinator shall also dismiss any complaint in which the alleged conduct did not occur in the district's education program or activity or did not occur against a person in the United States, and may dismiss a formal complaint if the complainant notifies the district in writing that the complainant would like to withdraw the complaint or any allegations in the complaint, the respondent is no longer employed by the district, or sufficient circumstances prevent the district from gathering evidence sufficient to reach a determination with regard to the complaint. (34 CFR 106.45)

Upon dismissal, the Title IX Coordinator shall promptly send written notice of the dismissal and the reasons for the dismissal simultaneously to the parties and shall inform them of their right to appeal the dismissal of a formal complaint or any allegation in the complaint in accordance with the appeal procedures described in the section "Appeals" below. (34 CFR 106.45)

If a complaint is dismissed, the conduct may still be addressed pursuant to AR 4030 - Nondiscrimination in Employment as applicable.

Informal Resolution Process

When a formal complaint of sexual harassment is filed, the district may offer an informal resolution process, such as mediation, at any time prior to reaching a determination regarding responsibility. The district shall not require a party to participate in the informal resolution process or to waive the right to an investigation and adjudication of a formal complaint. (34 CFR 106.45)

The district may facilitate an informal resolution process provided that the district: (34 CFR 106.45)

1. Provides the parties with written notice disclosing the allegations, the requirements of the informal resolution process, the right to withdraw from the informal process and resume the formal complaint process, and any consequences resulting from participating in the informal resolution process, including that records will be maintained or could be shared.
2. Obtains the parties' voluntary, written consent to the informal resolution process

Written Notice

If a formal complaint is filed, the Title IX Coordinator shall provide the known parties with written notice of the following: (34 CFR 106.45)

1. The district's complaint process, including any informal resolution process
2. The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known. Such notice shall be provided with sufficient time for the parties to prepare a response before any initial interview. If, during the course of the investigation, new Title IX allegations arise about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.
3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process
4. The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an attorney, and the ability to inspect and review evidence
5. The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process

The above notice shall also include the name of the investigator, facilitator of an informal process, and decision-maker and shall inform the parties that, if at any time a party has concerns regarding conflict of interest or bias regarding any of these persons, the party should immediately notify the Title IX Coordinator.

Investigation Procedures

During the investigation process, the district's designated investigator shall: (34 CFR 106.45)

1. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and

exculpatory evidence

2. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence
3. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney
4. Not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding, although the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as the restrictions apply equally to both parties
5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate
6. Send in an electronic format or hard copy to both parties and their advisors, if any, the evidence obtained as part of the investigation that is directly related to the allegations raised in the complaint, and provide the parties at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report
7. Objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and determine credibility in a manner that is not based on a person's status as a complainant, respondent, or witness
8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review and written response

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. (34 CFR 106.45)

Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.

If the complaint is against an employee, rights conferred under an applicable collective bargaining agreement shall be applied to the extent they do not conflict with the Title IX requirements.

Written Decision

The Superintendent shall designate an employee as the decision-maker to determine responsibility for the alleged conduct, who shall not be the Title IX Coordinator or a person involved in the investigation of the matter. (34 CFR 106.45)

After the investigative report has been sent to the parties but before reaching a determination regarding responsibility, the decision-maker shall afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party.

The decision-maker shall issue, and simultaneously provide to both parties, a written decision as to whether the respondent is responsible for the alleged conduct. (34 CFR 106.45)

The written decision shall be issued within 60 calendar days of the receipt of the complaint.

The timeline may be temporarily extended for good cause with written notice to the complainant and respondent of the extension and the reasons for the action. (34 CFR 106.45)

In making this determination, the decision-maker shall use the "preponderance of the evidence" standard for all formal complaints of sexual harassment. (34 CFR 106.45)

The written decision shall include the following: (34 CFR 106.45)

1. Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR 106.30

2. A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the district includes hearings as part of the grievance process
3. Findings of fact supporting the determination
4. Conclusions regarding the application of the district's code of conduct or policies to the facts
5. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's educational program or activity will be provided by the district to the complainant
6. The district's procedures and permissible bases for the complainant and respondent to appeal

Appeals

Either party may appeal the district's decision or dismissal of a formal complaint or any allegation in the complaint, if the party believes that a procedural irregularity affected the outcome, new evidence is available that could affect the outcome, or a conflict of interest or bias by the Title IX Coordinator, investigator(s), or decision-maker(s) affected the outcome. If an appeal is filed, the district shall: (34 CFR 106.45)

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties
2. Ensure that the decision-maker(s) for the appeal is trained in accordance with 34 CFR 106.45 and is not the same decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator
3. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome
4. Issue a written decision describing the result of the appeal and the rationale for the result
5. Provide the written decision simultaneously to both parties

An appeal must be filed in writing within 10 calendar days of receiving the notice of the decision or dismissal, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered.

A written decision shall be provided to the parties within 20 calendar days from the receipt of the appeal.

Either party has the right to file a complaint with the U.S. Department of Education's Office for Civil Rights within 180 days of the date of the most recently alleged misconduct.

The complainant shall be advised of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal antidiscrimination laws, if applicable.

Remedies

When a determination of responsibility for sexual harassment has been made against the respondent, the district shall provide remedies to the complainant. Such remedies may include the same individualized services described above in the section "Supportive Measures," but need not be nondisciplinary or nonpunitive and need not avoid burdening the respondent. (34 CFR 106.45)

Disciplinary Actions

The district shall not impose any disciplinary sanctions or other actions against a respondent, other than supportive measures as described above in the section "Supportive Measures," until the complaint procedure has been completed and a determination of responsibility has been made. (34 CFR 106.44)

When an employee is found to have committed sexual harassment or retaliation, the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Report)

(cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4119.11/4219.11/4319.11 - Sexual Harassment) (cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Record-Keeping

The Superintendent or designee shall maintain, for a period of seven years: (34 CFR 106.45)

1. A record of all reported cases and Title IX investigations of sexual harassment, any determinations of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary sanctions imposed, any remedies provided to the complainant, and any appeal or informal resolution and the results therefrom.
2. A record of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment, including the district's basis for its conclusion that its response was not deliberately indifferent, the measures taken that were designed to restore or preserve equal access to the education program or activity, and, if no supportive measures were provided to the complainant, the reasons that such a response was not unreasonable in light of the known circumstances.
3. All materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process. The district shall make such training materials publicly available on its web site, or if the district does not maintain a web site, available upon request by members of the public.

(cf. 1113 - District and School Web Sites) (cf. 3580 - District Records)

(F) School-wide Dress Code Relating to Gang-Related Apparel (EC 35183)

Policy 5132.16: Student Dress Guidelines

The Governing Board believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Students' clothing must not present a health or safety hazard or a distraction which would interfere with the educational process.

Students and parents/guardians shall be informed about dress and grooming standards at the beginning of the school year and whenever these standards are revised. A student who violates these standards shall be subject to appropriate 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 dress code may be included as part of the school safety plan and must be presented to the Board for approval. The Board shall approve the plan upon determining that it is necessary to protect the health and safety of the school's students.

Uniforms

The Board recognizes that, in order to promote student safety and discourage peer rivalry and/or gang activity, the principal, staff and parent/guardian at a school site may wish to establish a reasonable dress code, which may include voluntary school uniforms.

Dress codes, which include voluntary school uniforms, may be included as part of the school safety plan submitted as required.

The Superintendent or designee shall establish procedures that schools, parents and guardians will follow if they decide to participate with the voluntary school uniform policy. Students shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardian decide not to participate.

The Governing Board feels that there is nothing inherently wrong with dress or color of dress, but when student's dress serves to intimidate or impede the rights of other students it will be determined that dress is in violation of this policy. A student may not remain at school dressed in a manner which (1) creates a safety hazard for said student or for other students at school, and/or (2) when the dress constitutes a serious and unnecessary distraction to the learning process or tends to disrupt campus order

When the site administrator/designee determines that a student's attire is in violation of this policy, the student will be required to modify his/her clothing and/or apparel in such a manner that it no longer violates this policy. If necessary, the student may be taken or sent home with parental permission to modify unacceptable dress and return to school. Refusal to take steps as described in this policy shall be cause for disciplinary action against the student. Any such disciplinary action shall be handled pursuant to existing student disciplinary policy

Parents/guardians have primary responsibility to see that students are properly attired for school. School district personnel have the responsibility for maintaining proper and appropriate conditions conducive to learning. Hence, the following guidelines will be implemented in all district schools.

1. Shoes will be worn at all times. A substantial sole is required and enclosed toe and heel footwear are highly encouraged.
2. Extremely brief garments that are distracting to the educational environment are not appropriate. Clothing shall be sufficient to conceal undergarments at all times.
3. Clothing or accessories shall be free of writing, pictures or any other insignia which are crude, violent, obscene or sexually suggestive or which advocate racial, ethnic or religious prejudice or the use of tobacco, drugs or alcohol.
4. Earrings, jewelry, or accessories which present a safety hazard to the wearer or others are not suitable for school wear.
5. Only prescription sunglasses may be worn in class. Other types of sunglasses may be worn on campus outside of class.
6. Identified gang attire such as bandannas, haircuts or hair rollers, or any gang paraphernalia are prohibited.

Students are allowed to wear sun protective clothing, including hats, while outdoors during the school day. Each school site will develop a policy indicating the type of sun protective hats that are permitted.

No grade of a student participating in a physical education class shall be adversely affected if the student does not wear standardized physical education apparel because of circumstances beyond the student's control. (Education Code 49066) All clothing worn during physical education shall meet reasonable safety standards.

The purpose of adopting these Student Dress Guidelines is not to infringe on any individual student's rights to freedom of expression, but rather to encourage students to dress appropriately and come to school properly prepared for participating in the educational process.

Gang-Related Apparel

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed as needed and updated as necessary.

Uniforms

In schools where a majority of parents respond and indicate on a survey that they desire to establish a voluntary school-wide uniform dress code, the principal, staff and the parents/guardians of the individual school site shall:

1. Jointly select the specific uniform to be worn. (Education Code 35183)
2. Describe the uniform parts and identify local vendors who sell those pieces of clothing. A description of the implementation of the voluntary uniform dress code will be submitted to the superintendent's designee including:
 - a. The process for parent notification
 - b. Positive procedures that will be used to encourage students to participate with the voluntary uniform dress code
3. A description of the uniform and a list of costs for each competitively priced item of clothing as provided by a variety of vendors will be sent to parents.
4. Parents will be notified that this is a voluntary uniform dress code and that students not participating shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardians so decide.

Parent Notification

The principal shall give parents/guardian at least six months notice before a school site implements a voluntary school uniform dress code. (Education Code 35183)

(G) Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School (EC 35294.2)

Closed campus: All doors which provide access to classrooms and other rooms, except the main office, remain locked. All visitors to the campus must come through the office to sign in through the Raptor System and obtain a visitor's badge which they must wear for the duration of the time they are on campus. All perimeter gates are locked during school hours.

Leaving early: Students must stay on campus from the time of arrival in the morning until school ends. Students may leave campus during school hours if parents, guardians, or persons designated by parents or guardians come to pick them up from school. A prior written request from a parent or guardian must be submitted if someone other than the parent or someone on the emergency card is going to pick up a child. Persons picking up students during the school day must sign the student out in the front office. They must be at least 18 years of age and provide a valid ID. Under no circumstances should a student leave campus without permission.

Late arrivals: If a student is late in the morning, they must report to the office for a late slip and then quickly go to class.

Volunteers: Smiley appreciates our volunteers. School volunteers are required to fill out a volunteer application. Upon clearance you may begin volunteering at Smiley. Volunteers are required to check in with school personnel at each visit.

(H) A Safe and Orderly School Environment Conducive to Learning (EC 35294.2)

Component:

Physical Environment

The Schools' Location and Physical Environment

Smiley Elementary School is located in the Redlands area of San Bernardino County that has an average crime rate and 10.6% poverty level. The immediate area round the school includes southwest Redlands Present safety hazards include times where students are entering and exiting the school while community members park and/or drive recklessly..

Description of School Grounds

The school site encompasses 10.8 acres. The grounds are grass, concrete and asphalt and includes basketball and volleyball courts, baseball diamonds and a lined track. There are several wings and/or clusters of classrooms including 26 classrooms 5 re-locatable classrooms. Other ancillary structures include a library, multipurpose room, and a STEAM Lab..

During the school day, staff members and administrators shall provide campus supervision. Identified problem areas receive increased supervision to reduce discipline, crime, or other school safety concerns.

It shall be the practice of Smiley Elementary School to remove all graffiti from school property before pupils arrive to begin their school day. Other acts of vandalism are promptly addressed.

Maintenance of School Buildings/Classrooms

The school's physical facility is well maintained and generally looks neat and clean. The school was most recently painted 8 years ago and renovated during the 2010 year. District personnel periodically examine the school's physical facility and help eliminate obstacles to school safety. Additionally, health and fire department inspectors contribute to school safety.

Internal Security Procedures

Smiley Elementary School has established procedures in the following areas: California Safe School Assessment (CSSA) reporting procedures, suspension and expulsion procedures, inventory system, and visitor check in/check out system via the RAPTOR program. Visitors are required to produce identification processed through Megan's Law information system via RAPTOR, Visitors are required to wear a sticker upon entrance to the campus from the office. Volunteers are required to go through Megan's Law, TB test, fingerprinting, and Board approval. The entire campus is fenced/gated. Discipline and Procedures have been created and implemented using district established discipline guidelines.

Smiley Elementary School crime statistics reflect a total of 0 crimes reported during the 2023-2024.

Keeping reportable crimes at a minimum requires constant vigilance. The following strategies will be utilized in achieving this goal maintenance of video surveillance and maintaining a partnership with the community and Redlands Police. Volunteer/Parent/Community/Staff members check ins through RAPTOR in the office, locking of gates and classrooms during the day, encouraging the community to See Something, Sense Something, Say Something at 1-800-827-8724, and the use of Sprigeo for students and families. Along with continued practice of lockdown drills, fire and earthquake drills.

Smiley Elementary School maintains a copy of the district's sexual harassment policy in the main office/principal's office and the policy is available on online. The District's Sexual Harassment Policy contains dissemination plans, applicable definitions, reporting requirements, investigation procedures, enforcement regulations, and information related to suspension and/or expulsion for sexual harassment of or by pupils. Additionally, a notice summarizing this sexual harassment policy appears in the Parent & Student Handbook, The parent student handbook is available online to all parents and pupils.

To ensure the safety of pupils and staff, all visitors to the campus, except pupils of the school and staff members, shall register immediately upon entering any school building or grounds when school is in session. District employees, not assigned to Smiley Elementary School shall wear appropriate identification badges while on campus conducting business.

Discipline procedures shall focus on finding the cause of problems and working with all concerned to reach the proper, lawful solutions. The school's discipline plan begins at the classroom level. Teachers shall use a visible classroom management plan to communicate classroom rules, promote positive pupil conduct, and reduce unacceptable conduct. Appropriate consequences are administered based on the seriousness of the pupil's misbehavior.

Pupil conduct standards and consequences for Smiley Elementary School are specifically described in this Comprehensive Schools Safety Plan including: (a) the adopted school discipline rules and procedures, (b) District Disciplinary Guidelines, and (c) the adopted school-wide dress code.

Pupils may be suspended, transferred to another school, or recommended for expulsion or for certain acts. For specific student violations, a mandatory expulsion recommendation shall be submitted by the administration of Smiley Elementary School.

Site administrators contribute to a positive school climate, promote positive pupil behavior, and help reduce inappropriate conduct. The principal/designee uses available district and other appropriate records to inform teachers of each pupil identified under E.C. 49079.

Law enforcement is contacted and consulted to help maintain and to promote a safe and orderly school environment. Smiley Elementary School employees comply with all legal mandates, regulations, and reporting requirements for all instances of suspected child abuse.

If appropriate, additional internal security procedures affecting the integrity of the school facility include: video surveillance system, increased custodial hours, and Smiley has a full time counselor and part-time counselor and an assistant principal. Counseling for students, IST process, IEP process, 504's. Behavior support plans, Communication with parents/guardians. Documenting in Aeries, support from Cope Security Team.

Community involvement is encouraged to help increase school safety.

Smiley currently has partnerships with Cope Middle School, board certified volunteers on campus, YMCA on campus after school, after school organized clubs on campus, RAPTOR system, CFS hotline 1-800-827-8724, See Something, Sense Something, Say Something at 1-800-827-8724 and Sprigeo for anonymous reports.

Inventory System - Engraved ID, Security Storage

Most school-site equipment has a metal ID tag or a bar cod sticker adhered to its surface. These items are inventoried annually and there is an established accountability system. Office and classroom supplies are secured.

Element:

Goal 1:

Improve the School Grounds

Opportunity for Improvement:

I. Areas of Pride and Desired Improvements

a. Pride

1. Student indoor learning environments are kept clean and free of debris; inviting and safe, thus increasing student attendance and increasing academic achievement.
2. Student outdoor play and transition areas are well maintained and safe (free of vandalism, graffiti, and damage/safety hazards); thus encouraging student attendance and school pride.

b. Areas of Desired Improvement

1. Resurfacing of playground blacktop.
2. Updated primary playground structure.

Objectives	Action Steps	Resources	Lead Person	Evaluation
II. Desired Change #1 Resurfacing of playground blacktop.	a. Related Strategies and Activities 1. Request an evaluation from Maintenance and Operations to resurface the playground blacktop. A resurfaced blacktop would create a safer environment for students to play. 2. N/A	b. Resources Required 1. N/A 2. N/A e. Budget 1. N/A 2. N/A	c. Personnel Assignments 1. Principal, Maintenance and Operations, Facilities 2. N/A	f. Evaluation criteria 1. Visual inspections / Daily Safety Walk process 2. N/A d. Timeframe for completion 1. To be determined. 2. N/A
III. Desired Change #2 Updated playground structures.	a. Related Strategies and Activities 1. Requesting new kindergarten and primary playground structures from facilities to create a safer, more engaging play area for students. 2. N/A	b. Resources Required 1. N/A 2. N/A e. Budget 1. N/A 2. N/A	c. Personnel Assignments 1. Principal, Facilities, Maintenance and Operations 2. N/A	f. Evaluation criteria 1. Visual inspections/ Daily Safety Walk process 2. N/A d. Timeframe for completion 1. To be determined 2. N/A

Component:

School Climate

The School's Social Environment

Leadership at Smiley Elementary School is a shared process. A proactive role is assumed in all phases of the school operation. The current management team is committed to developing Smiley Elementary School toward excellence in the areas of academic and social behavior.

The principal sets a positive tone for the school, guides the staff and works closely with them on curriculum and school safety issues. The school site's organizational structure is open and flexible contributing to sensitivity concerning school safety issues and promoting a safe, orderly school environment conducive to learning.

Disaster Procedures, Routine and Emergency

A contingency plan for emergencies is contained in a handbook available to each staff member. The District's Emergency Response Plan - (ERP Plan) is listed at the last section of this plan. The plan is reviewed at the beginning of each school year. This plan also contains available district and outside agency resources, emergency disaster procedures and information on Standardized Emergency Management System (SEMS).

Classroom Organization and Structure

Smiley Elementary School teachers provide a varied learning environment in their classrooms. Teachers use a variety of teaching strategies including: teaching the California Common Core State Standards with a focus on math and language arts and maintaining a positive and safe learning environment. Teachers use explicit direct instruction, guided instruction, flexible grouping, small group instruction, flexible seating, field trips, reading and math intervention groups, STEM and frequent use of technology.

The teachers at Smiley Elementary School are highly qualified, with many teachers holding advanced degrees. The staff is united in their desire to provide quality education for all pupils. Classrooms and teachers provide safe, orderly learning environment, enhance the experience of learning, and promote positive interactions amongst pupil and staff. Instructional time is maximized and disruptions are minimized.

The School's Cultural Environment

There is a high level of cohesiveness among the staff members at Smiley Elementary School. Cooperation and support between teachers and the administration is evident. Efforts are made by the administration and staff to show concern for all pupils.

All pupils are expected to behave in a manner that promotes safety and order. Pupils are encouraged to bring problems to the principal, assistant principal, counselor, teacher or other staff members. The everyday goal is for the staff to be proactive rather than reactive in all situations of concern.

The academic and behavior efforts of pupils are recognized and rewarded.

Cultural diversity is celebrated throughout the year by praising of all groups of students, both in their classrooms, and school-wide; at awards assemblies recognizing academics, citizenship, and those meeting Positive Behavior expectations. Smiley also celebrates diversity by participating in cultural celebrations such as Black History Month, DELAC and ELAC meetings, trainings, and recognitions. Our counselors also teach about how to celebrate diversity in their weekly lessons. Classrooms have expanded their library to include multi cultural literature..

Element:

Goal 2:

Continue to promote a safe educational environment conducive to student learning.

Opportunity for Improvement:

I. Areas of Pride and Desired Improvements

a. Pride

1. An academic program aligned to California Common Core State Standards setting high expectations; thus increasing student academic achievement.
2. Implement District and State discipline policies intertwined with the multi-tiered system of supports; thus increasing student attendance and decreasing student suspensions and time out of class.

b. Areas of Desired Improvement

1. Ensure all students have equal access to California Common Core State Standards and implementing a STEAM lab.
2. Minimize the amount of instruction students miss due to being out of class for disciplinary consequences.

Objectives	Action Steps	Resources	Lead Person	Evaluation
II. Desired Change #1 Ensure all students have equal access to California Common Core State Standards through daily instruction.	a. Related Strategies and Activities 1. Teachers will follow the Scope and Sequence set by RUSD. 2. Daily classroom walk-thru by site administration.	b. Resources Required 1. District scope and sequence 2. N/A e. Budget 1. N/A 2. N/A	c. Personnel Assignments 1. Administration 2. Certificated Teachers	f. Evaluation criteria 1. Administration Walk Thru Process 2. Benchmark Testing d. Timeframe for completion 1. Daily/ As needed 2. N/A
III. Desired Change #2 Minimize the amount of instruction students miss due to being out of class for disciplinary consequences.	a. Related Strategies and Activities 1. Smiley is building school-wide expectations using the PBIS framework to support Tier one and two students while also utilizing our elementary counselors to provide lessons that reinforce the school's goals. 2. Administration and Teacher working toward the coordination of Student Specific Behavior Intervention Plans	b. Resources Required 1. PBIS Training and SEL lessons 2. N/A e. Budget 1. N/A 2. N/A	c. Personnel Assignments 1. All staff 2. Counselors	f. Evaluation criteria 1. Referral / Suspension Data 2. Frequent visual inspection of office for number of students awaiting administrator d. Timeframe for completion 1. Daily/ As needed 2. N/A

(I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5)

Smiley Elementary School Student Conduct Code

Procedures to Ensure a Safe and Orderly Environment

Rules and Procedures on School Discipline

Philosophy of Discipline

- Behavior expectations and the consequences for not meeting expectations must be clearly communicated to all students and their parents (in writing as well as verbally).
- The severity of consequences for violating behavior expectations increases with each incident of inappropriate behavior.
- The consequences for violating behavior expectations should be severe enough to discourage students from making poor behavior decisions.
- Expectations and consequences should permit students an opportunity to eliminate inappropriate behavior.

The structure of our behavior expectations (in the classroom as well as school wide) is meant to encourage students to be responsible, respectful and safe. The first step in many instances of inappropriate behavior (those considered to be "minor") is a simple warning ("What is our expectation for ____? Are you meeting that expectation" "Is your behavior showing respect, responsibility or being safe?"). It is only when a student ignores such warnings and continues to choose to act irresponsibly that we involve parents and implement consequences.

Elements of a Good Discipline Program

1. The program is focused upon making the entire campus, especially the classroom, a safe, supportive and orderly environment for learning for students and staff.
2. Classroom authority is retained by the classroom teacher. (Administration's role is to support, not to replace.)
3. Rules and procedures are clearly understood by staff and students.
4. All staff members will acknowledge and take appropriate action on any minor or major infraction of the school rules.
5. Rules and procedures comply with State Law and District policies.
6. The program recognizes the responsibilities and the rights of students and staff.
7. Program is structured to keep students in class and engaged in the educational process.
8. Rules are enforced:
 - A. by all staff members at all times.
 - B. strictly, but not rigidly (beware of "automatics").
 - C. in substantial part by adult modeling.
 - D. using techniques that promote the growth of positive self-esteem.
 - E. as close to the source as is possible.
 - F. by keeping parents informed.
9. The discipline program is understood, endorsed, and supported by staff, parents, and students.

PRINCIPAL'S STATEMENT TO Smiley Elementary Staff Expectations in Developing & Maintaining Discipline

As Principal of our school, I will expect;

Each teacher to have a defined system of classroom management. A written description of this system, including representative examples of the progressive interventions you intend to employ, will be approved and filed by me. Whenever possible and appropriate, teachers are encouraged to use standards and systems that are consistent with other village/department members.

You can expect

Each administrator to assist and support you in every reasonable way in developing, implementing, and refining that system as needed.

I will expect

That when you refer a student for discipline:

1. The student has been made fully aware of classroom and school rules and knows what rules he/she has violated.
2. Teachers within a village will discuss any continuing behavior problems and schedule a team conference with the student and parents when appropriate.
3. That information will be provided on the referral regarding previous actions you have taken regarding this specific issue.
4. You have exhausted the interventions at your disposal (i.e., you have done everything you can do) and you have followed the guidelines established by the administration and staff on what constitutes an appropriate behavior referral.
5. The behavior was so serious or so blatant as to make immediate removal from the classroom necessary.
6. The written referral will be explicit in stating the offense(s).
7. You will send the student out of class with a referral only if his/her continued presence in the class would disrupt or prevent teaching and/or learning.
8. If necessary, the referral will be delivered to the office at a time convenient to the staff member so that the issue may be handled most efficiently, causing a minimum of lost class time.

You can expect

1. Each administrator to support your position in every reasonable way.
2. A response time on your referral of one, or at most, two days.
3. The availability of an administrator to discuss unresolved referrals after school on any given day.

4. That the administrator will exercise independent judgment regarding disposition of referrals.

I will expect

1. That each teacher will go to the doorway of his/her classroom after each class period as often as possible and assume control of student behavior in the corridor.
2. That each staff member will hold students accountable for their behavior on the school grounds at all times.

You can expect

1. Administrator support, investigation, and follow-through as indicated.
2. A response to referrals from incidents outside the classroom to be the same as to those within.

Danita Slaughter
Principal

WHAT TO DO WHEN PROBLEMS APPEAR

Both behavioral and academic problems are present in some of our students. Teachers often ask for guidelines for dealing with these problems. Here they are:

1. Talk to the administrator assigned to your grade level.
2. Call parents at first sign of concern. Inform the parents of your observations, ask for their ideas, assistance, and support in serving the student. Keep a log of your calls.
3. If possible, talk privately to the student about your concerns.
4. Behavior concerns—look through students' CUM file. Any official suspensions will be in file, also look for teacher comments on report cards. Look for patterns of behavior. We use In-House Suspension whenever possible, as it is preferable to having students at home unattended—and it saves the district money. Serious infractions (fighting, threats, etc.) do result in official suspension. Unresponsive students can be moved to other schools or expelled.
5. Referrals—please remember if you write a student referral, you are required to call the parents. You are writing the referral and can answer the parents' questions firsthand. Administrators will also call parents, but we can only give secondhand information on the incident.
6. Academic Concerns—again, look through student CUM. This will contain test scores, report cards, and a student history. You may want to ask the grade level administrator to schedule a Student Study Team (SST). This will involve a meeting with the student, parents, administrators, students' teachers, and perhaps the psychologist

Conduct Code Procedures

PBIS/Restorative Practices

Smiley Elementary participates in Positive Behavioral Interventions and Supports (PBIS), which is a way to establish positive student culture and individualized behavior supports that create a safe and effective learning environment for all students. Restorative Practices are used to focus on relationships with the goal of building strong connections that promote positive behavior and positive classroom climate. Both PBIS and Restorative Practices seek to improve school and classroom climate, increase student achievement, build social and emotional capacity, keep students in school, and improve teacher classroom management. Restorative Practices are intended to provide tools for creating positive behavioral outcomes.

(K) Hate Crime Reporting Procedures and Policies

PENAL CODE - PEN

PART 1. OF CRIMES AND PUNISHMENTS [25 - 680.4] (Part 1 enacted 1872.)

TITLE 11.6. CIVIL RIGHTS [422.55 - 422.94] (Title 11.6 added by Stats. 1987, Ch. 1277, Sec. 4.)

CHAPTER 1. Definitions [422.55 - 422.57] (Chapter 1 added by Stats. 2004, Ch. 700, Sec. 6.)

422.55.

For purposes of this title, and for purposes of all other state law unless an explicit provision of law or the context clearly requires a different meaning, the following shall apply:

(a) "Hate crime" means a criminal act committed, in whole or in part, because of one or more of the following actual or perceived characteristics of the victim:

- (1) Disability.
- (2) Gender.
- (3) Nationality.
- (4) Race or ethnicity.
- (5) Religion.
- (6) Sexual orientation.
- (7) Association with a person or group with one or more of these actual or perceived characteristics.

(b) "Hate crime" includes, but is not limited to, a violation of Section 422.6.

(Added by Stats. 2004, Ch. 700, Sec. 6. Effective January 1, 2005.)

EDUCATION CODE - EDC

TITLE 2. ELEMENTARY AND SECONDARY EDUCATION [33000 - 65001] (Title 2 enacted by Stats. 1976, Ch. 1010.)

DIVISION 4. INSTRUCTION AND SERVICES [46000 - 65001] (Division 4 enacted by Stats. 1976, Ch. 1010.)

PART 27. PUPILS [48000 - 49703] (Part 27 enacted by Stats. 1976, Ch. 1010.)

CHAPTER 6. Pupil Rights and Responsibilities [48900 - 49055] (Chapter 6 enacted by Stats. 1976, Ch. 1010.)

ARTICLE 1. Suspension or Expulsion [48900 - 48927] (Article 1 repealed and added by Stats. 1983, Ch. 498, Sec. 91.)
48900.3

(J) Procedures to Prepare for Active Shooters

Lock Down Drills are practiced each year. These drills prepare staff on the three levels of safety in a crisis. Each type of drill is practiced with students.

3 LEVELS OF STUDENT SAFETY IN A CRISIS

Safe and Secure Mode is a security procedure used to reduce student and staff movement outside school buildings. This may be due to a medical emergency, area disturbance, isolated site disturbance, etc. It is designed to allow for school to carry forward but have the ability to move to Lockdown quickly if needed. During the Safe and Secure mode, there is heightened vigilance on campus by all school staff. Generally, recesses and outdoor activities are reduced. Parents/guardians can have access to their student(s) and may check them out of school if they see fit to do so.

Teachers should continue teaching as normal

Allow students restroom use with clear administrator/ teacher direction

Increased available staff presence during passing periods and student dismissal

Lunch/activities monitored more closely for movement outside of lunch area, unless site admin decides otherwise

Standard inclement weather schedule/routine in place, unless site administrator/designee decides otherwise

Perimeter gates, where applicable, will be locked and monitored by available staff, allowing for central access points

PE classes will be monitored more closely for movement outside of PE area; classes may be moved off all fields into more secure locations (e.g., gym, class, & MPR)

Lock Down is called when a law enforcement event is happening in the vicinity of a school or on campus. With the support of law enforcement, a school site will call a Lock Down as a precautionary measure. This means all students and staff must stay inside behind locked doors; however, it does not mean that there is an active threat occurring on campus.

Take a look outside your classroom and gather up any stray students in the hallways

Ensure that your door is locked

Project a calm demeanor to help students remain calm; reassure students that they are safe

Do not allow anyone to leave the classroom

Staff and parents/guardians frequently check their emails for updates from their site administrators

If students are out on the playground or athletic fields, quickly move them to a secure classroom, locker room, or multi-purpose room

Teachers continue to keep students engaged in learning

Critical Alert is called when a significant, threatening event is happening on campus or adjacent to campus that creates a potential danger to students and staff. While this may be communicated to the school by law enforcement, it may also be determined by school officials on the scene. Critical Alert assumes that everyone is prepared for a potential significant threat/event on campus.

Turn off or reduce lighting, so it will appear that the room is vacant

Keep all students sitting on the floor, away from the door or windows

Do not look out the windows

Advise the students that there is a serious situation; project a calm demeanor and reassure students that you are taking steps to keep them safe
Ensure that everyone in the room turns the ringer off on their cell phones
Do not allow students to talk on their cell phones (keep room as quiet as possible)
Limit calls to the school office; phones are being used to communicate with parents/guardians and first responders
Quietly take roll and make a list of missing students and any extra students that are in your room. Email this list to your administrators and school site secretaries
When staff determines, they will direct the evacuation of students they oversee to the designated area; each staff will make this determination based on their specific situation
Do not open the door, even if someone knocks and claims to be a staff member (administrator/custodian will have a master key)
If students are out on the PE field, do not return them to the locker room. Move them to a safe place (this may be the farthest part of the campus or off campus); Staff must remain with students until reunification

School Lockdown/Critical Alert Procedure Checklist

School Site Administrator(s) Actions

Contact law enforcement immediately
Initiate lockdown using Raptor/Respond in Raptor Group Chat
Initiate All Call notifying staff that the site is on lockdown. Advise staff to check Raptor and emails. Instruct substitute teachers to refer to substitute handbook.
Notify Superintendent's Office
Ensure all exterior doors are locked
Prepare to provide information to first responders
Current situation
School map
Copy of 3-Levels of Student Safety in Crisis
School site administrator contact information
Implement communication plan for parents/guardians, staff and media – i.e. appoint someone to provide updates via Parent Square (Smart Alerts) and Raptor. Update parents on dismissal time and location if necessary.
Instruct staff to follow procedures outlined in 3 Levels of Student Safety In a Crisis
Contact substitutes and any non-school site RUSD staff on campus

Additional Steps for All Staff

In Lockdown, Campus Safety and Staff do sweep – only if there is no immediate threat to the school site. If outside, in hallways, and in restrooms, move students to nearest secure room
Follow all instructions from law enforcement
Do not use cell phones unless it's an emergency; messaging through Raptor is preferable
Be prepared to implement evacuation procedures when needed
Be prepared to implement reunification procedures when needed

Post-Lockdown/Critical Alert Actions

Account for all students and staff
Communicate with parents/guardians through ParentSquare Smart Alerts and staff about the incident and next steps
Provide immediate support for any individuals in distress; work with first responders and RCSS as needed
Debrief with staff and students as appropriate
Review and evaluate lockdown procedure effectiveness
Notify after school programs when needed

Additional Considerations

Provide assistance and messaging for Special Education students
Communicate with Transportation on field trips
Principal should be at the Command Post with Incident Commander
Parents/guardians and students should be in an area away from Incident Command Post
Have waters on hand to provide if needed; notify Superintendent's Office if they need waters
Staff and Admin need to routinely review their site-specific Emergency Operation Plan

Raptor Drill - Practice using the accountability portion of Raptor
Discuss in staff meetings

Procedures for Preventing Acts of Bullying and Cyber-bullying

RUSD Board Regulation 5144.1(17)

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))

Safety Plan Review, Evaluation and Amendment Procedures

A Safety Committee is created each school year. The purpose of the committee is to review the Safety Plan and procedures on a continual basis. The committee meets a minimum of three times per year and is made up of school staff, site administration, and parent/community members. The Safety Committee recommendations are brought to the attention of the staff and presented to School Site Council for approval.

Emergency Response Guidelines

Step One: Identify the Type of Emergency

Determining the type of emergency will assist the commander/administrator in making the appropriate decisions to keep the campus safe. The response to a fire is drastically different than responding to an active shooter. The type of emergency may lead to evacuation, shelter-in-place, or lockdown as well as which agency to contact.

Step Two: Identify the Level of Emergency

Determining the size and immediacy of the emergency will determine the level. The site leader will determine if it is a classroom only, building only, area only (i.e. playground), whole school, neighborhood, or city-wide emergency.

Step Three: Determine the Immediate Response Action

With safety of students, staff and visitors at the forefront, site administrators/commander will determine immediate response based on site protocols. Please reference sections about specific emergencies.

Step Four: Communicate the Appropriate Response Action

Administrators/Commander will communicate to the necessary emergency responders via phone. Administrators/Commander will utilize a variety of communication tools to notify staff and emergency participants such as: Bell system, phone intercom system, emails. In addition, the Administrator/Commander will communicate with the District Office via emergency radio. Lastly, a community communication plan will be created to notify families of incident, pick-up procedures, or next steps through one or several methods: Parent Square, postings on website and all social media accounts.

Types of Emergencies & Specific Procedures

Earthquake

Procedure

Note: Keep calm and remain where you are. Assess the situation, and then act. Remember, most injuries or deaths are the direct cause of falling or flying debris.

1. Upon the first indication of an earthquake, teachers should direct students to DUCK AND COVER as described in Section 4.0.
2. Move away from windows and overhead hazards to avoid glass and falling objects.
3. When the shaking stops, the School Administrator will initiate the EVACUATE BUILDING action as described in Section 4.0. Staff and students will evacuate the buildings using prescribed routes or other safe routes to the Assembly Area.
4. In the event of an evacuation, Teachers will bring their student roster and take attendance at the Assembly Area to account for students. Teachers will notify the Assembly Area Team of missing students.
5. The School Administrator will direct the Security/Utilities Team to post guards a safe distance away from building entrances to prevent access.
6. The Security/Utilities Team will notify school personnel of fallen electrical wires and instruct them to avoid touching the fallen wires.
7. The First Aid/Medical Team will check for injuries and provide appropriate first aid.
8. The School Administrator will direct the Security/Utilities Team to notify the appropriate utility company of damages (e.g., gas, power, water, or sewer).

9. If the area appears safe, the Search and Rescue Team will make an initial inspection of school buildings to identify any injured or trapped students or staff.
10. The School Administrator will contact the Local District Superintendent to determine additional actions that may be necessary. In turn, the actions will be communicated to the District's Office of Communications.
11. The School Administrator will contact the Local District Facilities Director to ensure buildings are safe for re-occupancy. When safe to do so, the Fire Suppression and HazMat Team will conduct an inspection of school buildings. The Fire Suppression and HazMat Team will maintain a log of their findings, by building, and provide a periodic report to the Incident Commander.
12. Any affected areas will not be reopened until the Local District Facilities provides clearance and the School Administrator gives authorization to do so.
13. The School Administrator will initiate an OFF-SITE EVACUATION if warranted by changes in conditions at the school.

Fire in Surrounding Area

This procedure addresses the situation where a fire is discovered in an area adjoining the school. The initiated response actions should take into consideration the location and size of the fire, its proximity to the school and the likelihood that the fire may affect the school.

Procedure

1. The School Administrator will initiate the appropriate Immediate Response Actions, which may include SHELTER-IN-PLACE, LOCK DOWN, EVACUATE BUILDING or OFF-SITE EVACUATION as described in Section 4.0.
2. The School Administrator will notify "911" and Redlands Police Department, the school's local law enforcement agency, at 909-798-7681 or 911 and Redlands Fire Department [909-798-7600] and will provide the location and nature of emergency.
3. The School Administrator will instruct the Security/Utilities Team to prevent students from approaching the fire and keep routes open for emergency vehicles.
4. The Agency Liaison will contact the local fire department and will work with the fire department to determine if school grounds are threatened by the fire, smoke, or other hazardous conditions.
5. If the School Administrator issues the EVACUATE BUILDING action, staff and student will evacuate the affected building(s) using prescribed routes or other safe routes to the Assembly Area.
6. In the event of an evacuation, Teachers will bring their student roster and take attendance at the Assembly Area to account for students. Teachers will notify the Assembly Area Team of missing students.
7. The School Administrator will keep a battery-powered radio tuned to a local radio station for emergency information.
8. As appropriate, the School Administrator will activate Parent Alert System.
9. The School Administrator will notify the Local District Superintendent of the emergency situation. A member of this group will call the Office of Communications with information of this situation.
10. If needed, the School Administrator will notify Bus Dispatch to request busses for staff and student evacuation.
11. The School Administrator will initiate an OFF-SITE EVACUATION, as described in Section 4.0 if warranted by changes in conditions.

Fire on School Grounds

This procedure addresses situations where a fire is discovered on school grounds. A quick response to this situation is very important to prevent injuries and further property damage.

Procedure

1. Upon discovery of a fire, Teachers or staff will direct all occupants out of the building, signal the fire alarm, and report the fire to the School Administrator.
2. The School Administrator will immediately initiate the EVACUATE BUILDING action as described in Section 4.0. Staff and students will evacuate buildings using the prescribed routes or other safe routes to the Assembly Area.
3. In the event of an evacuation, Teachers will bring their student roster and take attendance at the Assembly Area to account for students. Teachers will notify the Assembly Area Team of missing students.
4. The School Administrator will call "911" and Redlands Police Department, the school's local law enforcement agency, at 909-798-7681 or 911 and Redlands Fire Department [909-798-7600] and will provide the exact location (e.g., building, room, area) of the fire.
5. The Fire Suppression and HazMat Team will suppress fires and initiate rescue procedures until the local fire department arrives.
6. The Security/Utilities Team will secure the area to prevent unauthorized entry and keep access roads clear for emergency vehicles.
7. The Agency Liaison will direct the fire department to the fire and brief fire department official on the situation.
8. The Security/Utilities Team will notify the appropriate utility company of damages.
9. The School Administrator will notify the Local District Superintendent of the fire. A member of this group will call the Office of Communications with information on this situation.
10. If needed, the School Administrator will notify Bus Dispatch to request busses for staff and student evacuation.
11. Any affected areas will not be reopened until the Redlands City Fire Department or appropriate agency provides clearance and the School Administrator issues authorization to do so.
12. For fires during non-school hours, the School Administrator and the Local District Superintendent will determine if the school will open the following day.
13. All fires, regardless of their size, which are extinguished by school personnel, require a call to the Fire Department to indicate "fire is out."

Pandemic

Blood Borne Pathogen Incident Reporting Form and Exposure Control Plan

Policy 5141.22: Infectious Diseases

The Governing Board desires to protect students from risks posed by exposure to infectious diseases while providing an appropriate education for all students.

The Superintendent or designee shall determine whether to admit a student with an infectious disease, and shall exclude students only in accordance with law. In making this determination, he/she shall consult the student's parents/guardians, the student's physician and/or the county health department, in accordance with law and consistent with confidentiality provisions. Because bloodborne pathogens such as hepatitis B virus, hepatitis C virus and human immunodeficiency virus (HIV) are not casually transmitted, the sole presence of bloodborne pathogens is not sufficient reason to exclude students from attending school.

cf. 5112.2 - Exclusions from Attendance)
(cf. 5141.26 - Tuberculosis Testing)
(cf. 5141.3 - Health Examinations)
(cf. 6158 - Independent Study)
(cf. 6159 - Individualized Education Program)
(cf. 6183 - Home/Hospital Instruction)

Parents/guardians are encouraged to inform the Superintendent or designee if their child has an infectious disease so that school staff may work cooperatively with the student's parents/guardians to minimize the child's exposure to other diseases in the school setting. The Superintendent or designee shall ensure that student confidentiality rights are strictly observed in accordance with law. No district employee shall release medical information, including knowledge of a bloodborne pathogen infection, without written consent from the parent/guardian or adult student. Such information shall be shared only with those persons specifically named in the written permission.

(cf. 5125 - Student Records)
(cf. 5022 - Student and Family Privacy Rights)

The Board requires students and staff to routinely observe universal precautions to prevent exposure to bloodborne pathogens and to prevent the spread of all infectious disease.

cf. 4119.42/4219.42/4319.42 -Exposure Control Plan for Bloodborne Pathogens)
(cf. 4119.43/4219.43/4319.43 - Universal Precautions)
(cf. 5141.23 - Infectious Disease Prevention)

The Superintendent or designee shall ensure that the district's health education program provides information about the nature of bloodborne pathogens and their transmission.

(cf. 5141.6 - Student Health and Social Services)
(cf. 6142.2 - Sexual Health and HIV/AIDS Prevention Instruction)
(cf. 6142.8 - Comprehensive Health Education)

Blood Borne Pathogens - Safety Practices

Procedures and Regulations

1. General

1.1 While recognizing that both students and employees diagnosed with an infectious blood borne disease are entitled to a confidential relationship between themselves, the medical community and/or other agencies, the Board of School Trustees encourages these individuals to meet with the School Principal and/or Superintendent of Schools to discuss their disease and immediate and future needs.

1.2 Assessment

2. Students:

2.1. The Superintendent (or designate) will be informed, by the school principal as soon as is known, of any student infected with an infectious blood borne disease.

2.2. A Risk Assessment will be conducted using a team approach including the personal physician, public health personnel, the parent or guardian, and school district personnel as appropriate and will make recommendations about the type of educational and care setting based on the following:

- a. Behavior, neurological development and physical condition of the child;
- b. Type of interaction expected with others.
- c. What the potential is for exposure
- d. Areas for potential for exposure

- e. How exposure may happen
- f. Who needs to know?
- g. What will happen if there is a risk of exposure?

2.3. The team will consider the risk to others in the workplace, whether or not the individual is healthy enough to continue to attend school, and what precautions should be taken to ensure the safety and health of others.

a. The identity of infected students will remain confidential and restricted to those who need to know or are required to be informed.

2.4. Decisions on attendance at school are dependent on the circumstances of each individual case. Regular evaluation of the appropriateness of attendance will be conducted.

2.5. The Board will be notified immediately when the team considers the health condition of a student to be a danger to the immediate health and welfare of a school, its students or employees of the Board.

a. Upon being notified of the team's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

3. Employees

3.1. The Superintendent will be informed, by district staff as soon as is known, of any employee infected with an infectious blood borne disease.

3.2. Employees with an infectious blood borne disease, who are able to carry out the essential duties of their jobs in a satisfactory manner without posing a health or safety risk to themselves or others, will be entitled to continue their work.

3.3. Decisions regarding potential health or safety hazards will be made on a case-by-case basis in consultation with the employee, the personal physician and district personnel as appropriate.

3.4. The identity of infected employees will remain confidential and restricted to those who need to know or are required to be informed.

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4. Hygienic Safety Practices

4.1. All employees will follow "Universal Infection Control Precautions" by assuming that blood and other body fluids from all individuals are potentially infectious. These precautions include:

- a. Routinely using gloves when anticipating contact with blood
- b. Immediately washing hands and other skin surfaces after removal of gloves and/or contact with blood

4.2. Schools will be provided with appropriate protective equipment including disposable waterproof gloves (natural rubber latex, neoprene, nitrile, or vinyl), tongs or pliers and proper sharps containers.

4.3. Schools' medical room mattresses will be either vinyl-coated beds or cloth mattress with a protective vinyl (plastic) covering so that they can be cleaned as needed with a bleach solution.

4.4. Blankets can be cleaned as needed by forwarding them, in a clearly labeled plastic bag, to the Assistant Supervisor Operations at the Facilities Office.

5. Universal Precautions

5.1. Universal Precautions to prevent transmission of blood-borne disease will be followed. Universal Precautions is the term for infection control measures endorsed by the Canadian Centre for Occupational Health and Safety for workers who might come into contact with blood and other body fluids. In summary they include:

- a. Wash hands for 30 seconds after contact with blood and other body fluids contaminated with blood.
- b. Wear disposable latex gloves when you encounter blood, body fluids, or when cleaning cuts, scrapes or wounds. Wash your hands as soon as you remove your gloves. Dispose gloves in a plastic bag.
- c. Use disposable absorbent material like paper towels to stop bleeding.
- d. Discard bloodstained material in a sealed plastic bag and deposit in the garbage. Label as containing blood-tainted material.
- e. Cover cuts or scrapes with a bandage until healed.
- f. Immediately protect staff and students from coming in contact with blood-soiled surfaces. The area must be disinfected with a fresh solution of one part bleach and nine-parts water (10% bleach solution).

Mops or brushes used for cleaning should be soaked in a bleach solution for 20 minutes.

(Note: The custodial department will provide each school with the product for dissolving in water to provide the bleach solution.)

6. Identification of Risks of Occupational Exposure

6.1. In accordance with the Occupational Health and Safety Regulations (section 6.35), the district's Health & Safety Coordinator will develop and maintain a list of positions and/or tasks and procedures where there is a potential for occupational exposure to a blood borne pathogen.

6.2. Employees who have, or may have, occupational exposure to the hepatitis B virus, will upon request, receive a hepatitis B vaccination (section 6.39, OH&S Regs).

6.3. Employees who may have been exposed to a blood borne pathogen in an exposure incident will be advised to immediately seek medical attention

Blood Borne Pathogen Incident Reporting Form and Exposure Control Plan

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- e. How exposure may happen
- f. Who needs to know?
- g. What will happen if there is a risk of exposure?

2.3. The team will consider the risk to others in the workplace, whether or not the individual is healthy enough to continue to attend school, and what precautions should be taken to ensure the safety and health of others.

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- 5.1. Universal Precautions to prevent transmission of blood-borne disease will be followed. *Universal Precautions* is the term for infection control measures endorsed by the Canadian Centre for Occupational Health and Safety for workers who might come into contact with blood and other body fluids. In summary they include:
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6. Identification of Risks of Occupational Exposure

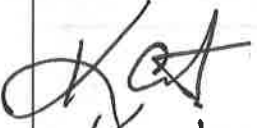






- 6.1. In accordance with the Occupational Health and Safety Regulations (section 6.35), the district's Health & Safety Coordinator will develop and maintain a list of positions and/or tasks and procedures where there is a potential for occupational exposure to a blood borne pathogen.
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Comprehensive School Safety Plan

2024-2025
School Year

School: Victoria Elementary School
CDS Code: 36-67843-6036594
District: Redlands Unified School District
Address: 1505 Richardson Street
San Bernardino, CA 92408
Date of Adoption: October 24, 2023
Date of Update: 9/24/2024
Date of Review:
- with Staff
- with Law Enforcement
- with Fire Authority

Approved by:

Name	Title	Signature	Date
 Kristhne Castro	A.P.	 Clear	9/24/24
Emily Santellan	Teacher	 Clear	9/24/24
Ashlie Sanchez	parent	 Clear	9/24/24
Norma Viveros	El Para	 Clear	9-24-24
Angelica Juarez	Counselor	 Clear	9/24/24
NANCY MARIN	CNSLR	 Clear	9-24-24


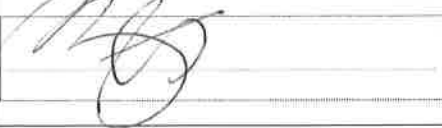


Name	Title	Signature	Date
Estella Patel	Principal	 Clear	9/24/24
Marilyn Contreras	parent	 Clear	9/24/24
Gloria Medina	Alejandra's Mom	 Clear	9/24
HART, ROSE	PARENT	 Clear	09/24

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Comprehensive School Safety Plan Purpose

Effective January 1, 2019, Assembly Bill 1747 (Rodriguez), School Safety Plans, became law. This bill requires that during the writing and development of the comprehensive school safety plan (CSSP), the school site council or safety committee consult with a fire department and other first responder entities in addition to currently required entities. It requires the CSSP and any updates made to the plan to be shared with the law enforcement agency, the fire department, and the other first responder entities.

The California Education Code (sections 32280-32288) outlines the requirements of all schools operating any kindergarten and any grades 1 to 12, inclusive, to write and develop a school safety plan relevant to the needs and resources of that particular school.

In 2004, the Legislature and Governor recast and renumbered the Comprehensive School Safety Plan provisions in SB 719 and AB 115. It is the intent of the Legislature in enacting the provisions to support California public schools as they develop their mandated comprehensive safety plans that are the result of a systematic planning process, that include strategies aimed at the prevention of, and education about, potential incidents involving crime and violence on school campuses.

The historical requirement of the Comprehensive School Safety Plan was presented in Senate Bill 187, which was approved by the Governor and chaptered in 1997. This legislation contained a sunset clause that stated that this legislation would remain in effect only until January 1, 2000. Senate Bill 334 was approved and chaptered in 1999 and perpetuated this legislation under the requirement of the initial legislation.

Comprehensive School Safety Plans are required under SB 719 & AB 115 and contains the following elements:

Assessment of school crime committed on school campuses and at school-related functions

- Child abuse reporting procedures
- Disaster procedures
- Suspension and expulsion policies
- Procedures to notify teachers of dangerous pupils
- Discrimination and harassment policies
- School wide dress code policies
- Procedures for safe ingress and egress
- Policies enacted to maintain a safe and orderly environment
- Rules and procedures on school discipline
- Hate crime reporting procedures

The Comprehensive School Safety Plan will be reviewed and updated by March 1st every year. In July of every year, the school will report on the status of its school safety plan including a description of its key elements in the annual school accountability report card.

A copy of the Comprehensive School Safety Plan is available for review at the Victoria Elementary School front office..

Safety Plan Vision

Victoria Elementary School will provide a safe, orderly, and secure environment conducive to learning.

Victoria Elementary School will create a school in which pupils will attend regularly and be safe from both physical and social-psychological harm.

Victoria Elementary School will work collaboratively with the district office and school board to identify, establish and use strategies and programs to comply with school safety laws.

Victoria Elementary School will develop a plan to work cooperatively and collaboratively with parents, pupils, teachers, administrators, counselors and community agencies, including law enforcement, to provide a safe and orderly school and neighborhood.

Victoria Elementary School will develop an academic program that will focus on high expectations of pupil performance and behavior in all aspects of the school experience.

Victoria Elementary School will work collaboratively with other elementary, middle schools and high schools to assist in a smooth transition from one school level to another.

Victoria Elementary School will solicit the participation, views, and advice of teachers, parents, school administrators, and community members and use this information to promote the safety of our pupils, staff and community.

Components of the Comprehensive School Safety Plan (EC 32281)

Victoria Elementary School Safety Committee

Assessment of School Safety

School crime is reported annually to the State of California. Victoria ES works closely with Child Welfare and Attendance and the San Bernardino County Sheriff to ensure compliance with all reporting, laws and penal codes.

Strategies and Programs to Provide and Maintain a High Level of Safety (EC 32281(a)1, items A-J)

Introduction - School Profile

Victoria Elementary School is one of twenty-four schools in the Redlands Unified School District with traditions dating back to 1946. Victoria Elementary School has a diverse pupil student body and is served by a dedicated staff. Both staff and parents comment on the positive changes that are ongoing in our school.

Victoria Elementary School faces challenges in maintaining a safe school. This section of the Comprehensive School Safety Plan will describe programs in place at our school as well as strategies and programs of our school site council for continued improvement in providing a safe, orderly, school environment conducive to learning.

School Crime Status and Reporting

School crime is reported annually to the State of California. Victoria ES works closely with Child Welfare and Attendance and the San Bernardino County Sheriff to ensure compliance with all reporting, laws and penal codes. Two students were suspended for the 2023-2024 school year.

Personal Characteristics of Pupil & Staff

(Additional Health and Welfare Data available from ICOE aggregated DAT surveys)

Victoria Elementary School has an enrollment of 485 pupils in Pre-K to 5. Pupils from this school come from families with 12% family mobility. Approximately 93% of the pupils are in families receiving Aid to Families with Dependent Children that are eligible for free/reduced lunches. The ethnic makeup of the pupil population is 68 % Hispanic, 4 % Black, 6 % Caucasian and 12% Asian. Our pupils have a variety of life experiences. Some pupils have recently arrived from foreign countries while others have never left their neighborhood.

Curriculum and Educational Activities

The course of study includes the basic core curriculum, physical education and enrichment classes such as Music, Art, Library, GATE, CSTEM, Garner Holt Lab and field trips to enrich the core curriculum.

Pupils have the opportunity to participate in noon and after-school activities. These include Yearbook Club, Student Council, Garden Club, Entrepreneurial Club, Chess Club, Cheer, Creator's Club and Choir. Afterschool programs include ASES and ELO (Extended Learning Opportunities).

Staff provides opportunities and additional activities open to pupils in the areas of technology, coding, art, performing arts, and music.

(A) Child Abuse Reporting Procedures (EC 35294.2 [a] [2]; PC 11166)

Policy 5141.4: Child Abuse Prevention and Reporting

The Governing Board recognizes that the district has a responsibility to facilitate the prompt reporting of incidents of child abuse and neglect. The Superintendent or designee shall ensure that parents/guardians have access to procedures whereby they can report suspected child abuse at a school site to appropriate child protective agencies

The Superintendent or designee shall develop and implement regulations for use by employees in identifying and reporting child abuse

District employees shall report known or suspected incidents of child abuse in accordance with district regulations and state law. Employees shall cooperate with the child protective agencies responsible for reporting, investigating and prosecuting cases of child abuse.

(cf. 4112.9 - Signed Statements/Child Abuse Reporting Statements)

The Superintendent or designee shall provide training in child abuse identification and reporting for all certificated and classified personnel. (Penal Code 11165.7)

All employees trained in child abuse identification and reporting shall be given, as a part of that training, written notice of the child abuse reporting requirements and the employees' confidentiality rights. (Penal Code 11165.7)

In order to reduce or eliminate unfounded child abuse accusations directed at school employees, child abuse in service training shall include guidance in disciplining students and maintaining ethical relationships with them.

(cf. 3514 - Safety)

(cf. 5142 - Safety)

Duty to Report

Certificated employees and classified employees trained in child abuse identification and reporting shall report known or suspected child abuse to a child protective agency by telephone immediately or as soon as practically possible and in writing within 36 hours. The reporting duties are individual and cannot be delegated to another individual except under circumstances set forth in Penal Code 11166.

Definitions

Child Abuse includes the following:

1. A physical injury inflicted by other than accidental means on a child by another person.
2. Willful cruelty or unjustifiable punishment of a child, or willfully inflicting unjustifiable physical pain or mental suffering, or failure to safeguard a child from these injuries when the child is under a person's care or custody
3. Sexual abuse of a child
4. Neglect of a child or abuse in out-of-home care
5. Unlawful corporal punishment or injury resulting in a traumatic condition

Mandated Reporters are those people defined by law as child care custodians, health practitioners, child visitation monitors and employees of a child protective agency. Mandated reporters include virtually all school employees. The following school personnel are required to report:

Teachers, administrators, supervisors of child welfare and attendance, certificated student personnel employees, employees of care institutions, Headstart teachers, school psychologists, licensed nurses, counselors, presenters of child abuse prevention programs and those instructional aides or other classified employees trained in child abuse reporting.

Child Protective Agencies are those law enforcement and child protective services responsible for investigating child abuse reports, including the local police or sheriff department, county welfare or juvenile probation department and child protective services.

Reasonable Suspicion means that it is objectively reasonable for a person to entertain such a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his/her training and experience, to suspect child abuse. (Penal Code 11166)

Reporting Procedures

To report known or suspects child abuse, any employee (as defined above) shall report by telephone to the local child protective agency immediately. (Child Protective Services 921 County Center, 3 Court, Modesto, CA phone # 525- 6641)

The following information shall be given:

1. The name of the person making the report
2. The name of the child
3. The present location of the child
4. The nature and extent of any injury

Any other information requested by the child protective agency, including the information that led the mandated reporter to suspect child abuse.

When the verbal 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.

Within 36 hours of making the telephone report, the mandated reporter shall complete and mail to the local child protective agency a written report which includes a completed Department of Justice form (DOJ SS 8572).

Mandated reports may obtain copies of the above form either from the district or local child protective agency.

Instructions are included on the form, and reporters may ask the site administrator for help in completing and mailing it; however, the mandated reporter is personally responsible for ensuring that the written report is correctly filed.

Employees reporting child abuse to a child protective agency are encouraged, but not required, to notify the site administrator or designee as soon as possible after the initial verbal report by telephone. When so notified, the site administrator shall inform the Superintendent or designee.

Administrators so notified shall provide the mandated reporter any assistance necessary to ensure that reporting procedures are carried out in accordance with law and district regulations. At the mandated reporter's request, the principal may assist in completing and filing the form.

If the mandated reporter does not disclose his/her identity to a district administrator, he/she shall at least provide or mail a copy of the written report to the site administrator and the district without his/her signature or name.

Legal Responsibility and Liability

Mandated reporters have absolute immunity. School employees required to report are not civilly or criminally liable for filing a required or authorized report of known or suspected child abuse.

A mandated reporter who fails to report an instance of child abuse, which he/she knows to exist or reasonably should know to exist, is guilty of a misdemeanor and is punishable by confinement in jail for a term not to exceed six months or by a fine of not more than \$1,000 or both. The mandated reporter may also be held civilly liable for damages for any injury to the child after a failure to report

When two or more persons who are required to report have joint knowledge of suspected instance of child abuse, and when they so agree, the telephone report may be made by either of them and a single report made and signed by that person.

However, if any person who knows or should know that the person designated failed to make the report, that person then has a duty to make the report.

The duty to report child abuse is an individual duty and no supervisor or administrator may impede or inhibit such reporting duties. Furthermore, no person making such a report shall be subject to any sanction.

Victim Interview

Upon request, a child protective agency representative may upon request interview a suspected victim of child abuse during school hours, on school premises, concerning a report of suspected child abuse that occurred within the child's home. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. (Penal Code 11174.3)

A staff member or volunteer aide selected by a child may decline to be present at the interview. If the selected person accepts, the principal or designee shall inform him/her, before the interview takes place, of the following legal requirements:

1. The purpose of the selected person's presence at the interview is to lend support to the child and enable him/her to be as comfortable as possible.
2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the child.
4. The selected person is subject to the confidentiality requirements of the Child Abuse and Reporting Act, a violation of which is punishable as specified by Penal Code 11167.5.
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 or Child Protective Services Agent

When a child is released to a peace officer or child protective agency and taken into custody as a victim of suspected child abuse, the Superintendent and/or principal shall not notify the parent/guardian as required in other instances of removal of a child from school, but rather shall provide the protective agency with the address and telephone number of the child's parent/guardian. It is the responsibility of the peace officer or agent to notify the parent/guardian of the situation. (Education Code 48906)

Peace officer and child protective services agents will be asked to sign an appropriate release or acceptance of responsibility form.

(cf. 5145.11 - Questioning and Apprehension)

When School Employees are Accused of Child Abuse

Regardless of who child abusers may be, the major responsibilities of mandated reports are to 1) identify incidents of suspected child abuse, and 2) comply with laws requiring the reporting of suspected abuse to proper authorities. Determining whether or not the suspected abuse actually occurred is not the responsibility of the school employee. Such determination and follow-up investigation will be made by a child protective agency.

Pending outcome of an investigation by a child protective agency and before formal charges are filed, the employee may be subject to reassignment or a paid leave of absence.

Upon filing formal charges or upon conviction, the district may take disciplinary action in accordance with law, district policies, regulations and/or collective bargaining agreements. The Superintendent or designee shall seek legal counsel in connection with either the suspension or dismissal of the employee.

(cf. 4117.4 - Dismissal)
(cf. 4118 - Suspension/Disciplinary Action (Certificated))
(cf. 4218 - Suspension/Disciplinary Action (Classified))

Suspected Child Abuse Reporting Procedures

I. Initiating the Report

A. The report is initiated by a telephone report to the appropriate agency.

B. If the suspected child abuse has taken place within the family, call the Enter appropriate Agency Hotline at phone number, 1 (800) 827-8724

C. If the suspected child abuse has taken place outside the family, call the local police department at:

San Bernardino Police Department
Phone: (909) 383-5311

D. Content of call.

- 1) Name, address and age of child involved.
- 2) Clear description of suspected abuse.

II. Written Report

A. The telephone call is to be followed by completion of the Suspected Child Abuse Report (form 11166.P.C.). These forms are available in the Principal's office at the high school or you may access the form on line at:
http://ag.ca.gov/childabuse/pdf/ss_8572.pdf for a form or immediately call (909) 384-9233 to file a report.

B. The written report is to be addressed to the person to whom the telephone report was made.

C. The written report must follow the phone call within 36 hours.

1. Suspected child abuse within the family,
Agency: Children and Family Services
Address: 150 S. Lena Road, San Bernardino, California 92415

2. Suspected child abuse outside the family should be mailed to the agency to which the report was called -

Adopted: 10/2005
San Bernardino Police Department
Phone: (909) 383-5311

The reporting party should keep the yellow copy of the Suspected Child Abuse Report form (SS8572) or verification of completion of the reporting obligation.

Caution:

1. The reporting responsibility has not been discharged until both the telephone call and written reports are complete.
2. School personnel are not to engage in any investigation of suspected cases. The investigation will be done by the child protective services office.
3. The reporting responsibility is an individual one which is NOT discharged by report to supervisors or administrators.

(B) Disaster Procedures (EC 35295-35297; GC 8607 and 3100)

Disaster Plan (See Appendix C-F)

Each classroom, office, library and room on campus has a posting of the emergency procedures near the exit door. Emergency procedures are also posted in each classroom notebook which is reviewed at the beginning of the school year for updates. Fire Drills are practiced each month of the school year. Earthquake drills are practiced four times a year and Lock Down drills are practiced yearly.

Public Agency Use of School Buildings for Emergency Shelters

Public agencies, such as the American Red Cross, may use school buildings, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare. The District or County office shall cooperate with the public agency in furnishing and maintaining the services as the District or County Office may deem necessary to meet the needs of the community.

(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines

Policy 5144.1: Suspension And Expulsion/Due Process

Suspension and Expulsion

The Governing Board recognizes that maintaining an environment which promotes learning and protects the health, safety, and welfare of all students may require the suspension or expulsion of a student from regular classroom instruction. District policies and school site rules shall clearly identify district behavior standards

(cf. 5144 - Discipline)

Except in cases where suspension for a first time offense is warranted in accordance with law, suspension shall be imposed only when other means of correction fail to bring about proper conduct. (Education Code 48900.5)

Expulsion is an action taken by the Board for severe or prolonged breaches of discipline by a student. Except for single acts of a grave nature, expulsion is usually used only when there is a history of misconduct, when other forms of discipline, including suspension, have failed to bring about proper conduct, or when the student's presence causes a continuing danger to other students. (Education Code 48915)

The grounds for suspension and expulsion and the procedures for considering, recommending and/or implementing suspension and expulsion shall be specified in Administrative Regulation.

Each principal shall annually inform all students and parents/guardians of the school's discipline rules and procedures and of the availability of all district policies and regulations dealing with student discipline, suspension and expulsion. (Education Code 35291, 35291.5)

(cf. 5145.6 - Parental Notifications)

Suspended or expelled students shall be excluded from all school-related extracurricular activities during the suspension or expulsion.

cf. 6145 - Extracurricular and Cocurricular Activities)

Zero Tolerance

The Board supports a zero tolerance approach to serious offenses in accordance with state and federal law. This approach makes the removal of potentially dangerous students from the classroom a top priority and ensures the standardized treatment of all students. Staff shall immediately report to the Superintendent/ designee any incidence of offenses specified in law, Board policy, and administrative regulation as cause for suspension or expulsion.

Student Due Process

The Board shall provide for the fair treatment of students facing suspension and expulsion by affording them their due process rights under the law. The administration and staff shall comply with procedures for notices and appeals as specified in regulation. Procedures governing student due process shall conform in all aspects to provisions in law. (Education Codes 48911, 48915 and 48915.5)

Whenever a student is suspended, school officials may (but are not required to) meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

cf. 5119 - Students Expelled from Other Districts

(cf. 5144.2 - Suspension and Expulsion/Due Process - Individuals with Exceptional Needs)

Rights of Complaining Witness

An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental or emotional needs of a student who is the complaining witness. (Education Code 48918.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Educational Code 48918.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies
3. Have a closed hearing during the time he/she testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48918.5)

On-Campus Suspension Program

The Board recognizes that students who are suspended from school frequently have no supervision or guidance during the school hours when they are off campus. The Board believes that in many cases, instead of sending the student off campus, it would be better to address the student's misconduct by keeping the student at school and providing him/her with supervision that is separated from the regular classroom.

The Superintendent or designee shall examine alternatives to off-campus suspension and may establish a suspension program which involves progressive discipline during the school day on campus; using conferences between staff, parents/guardians and students; detention; student study teams or other assessment-related teams; and/or referral to school support services staff.

Required Parental Attendance

The Board believes that parental involvement plays an important role in the resolution of classroom behavior problems. The Board expects that teachers will communicate with parents/guardians when behavior problems arise

Whenever a student is suspended from a class because he/she committed an obscene act, engaged in habitual profanity or vulgarity, disrupted school activities or otherwise willfully defied valid staff authority, the teacher of the class from which the student was suspended may require the student's parent/guardian to attend a portion of a school day in that class. After completing the classroom visit and before leaving school premises, the parent/guardian also shall meet with the principal or designee. (Education Code 48900.1)

The Board encourages teachers, before requiring parental attendance, to make reasonable efforts to have the parent/guardian visit the class voluntarily. The teacher also may consider informing the parent/guardian about available resources which may provide help in the development of parenting skills. Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the student and the parent/guardian and to improve classroom behavior.

Parental attendance may be required on the day the student returns to class or within one week thereafter. The principal or designee shall contact any parents/guardians who do not respond to the request to attend school. The Board recognizes that parental compliance with this policy may be delayed, modified or prevented by serious illness/injury/disability, absence from town, or inability to get certain release time from work.

The teacher shall apply this policy uniformly to all students within the classroom. This policy shall apply only to a parent/guardian who actually lives with the student. (Education Code 48900.1)

District regulations and school-site rules for student discipline shall include procedures for implementing parental attendance requirements.

Parents/guardians shall be notified of this policy before it is implemented and at the beginning of each subsequent school year. (Education Code 48900.1, 35291, 48980)

Decision Not to Enforce Expulsion Order

In cases where expulsion is mandatory pursuant to Education Code 48915(c), the enforcement of an expulsion order shall not be suspended by the Board. In all other cases of expulsion, the order for expulsion may be suspended by the Board, on a case-by-case basis, pursuant to the requirements of law.

Definitions

Suspension from school means removal of a student from on going 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, nor referral to a certificated employee designated by the principal to advise students, nor removal from the class without reassignment to another class or program for the remainder of the period, without sending the student to the principal or designee.

2. Removal from a particular class shall not occur more than once every five school days. (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)

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

School property, for the purposes described in Education Code 48900, includes, but is not limited to, electronic files and databases. (Education Code 48900(s))

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, suspension and expulsion. Transfer students and their parents/guardians shall be notified at the time of enrollment. (Education Code 35291.5, 48900.1, 48980)

(cf. 5144 -Discipline)

(cf. 5145.6 Parental Notifications)

Notification shall include information about the ongoing availability of individual school rules and all district policies and regulations pertaining to student discipline. (Education Code 35291)

(cf. 5145.6 -Parental Notifications)

Grounds for Suspension and Expulsion

Students may be suspended or recommended for expulsion when the Superintendent, principal, or principal's designee at the school in which the student is enrolled determines that the student has done any of the acts listed below:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense. (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However, a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code Board Policy Manual Redlands Unified School District 48900(s))

2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48900(b))

(cf. 5 131 - Conduct)

(cf. 5131. 7 - Weapons and Dangerous Instruments)

3. Unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of, any controlled substance as defined in the Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind. (Education Code 48900(c))

(cf. 5131.6 -Alcohol and Other Drugs)

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance or material and represented same as controlled substance, alcohol beverage or intoxicant. (Education Code 48900(d))

5. Committed or attempted to commit robbery or extortion. (Education Code 48900(e))

6. Caused or attempted to cause damage to school property or private property. (Education Code 48900(f))

7. Stole or attempted to steal school property or private property. (Education Code 48900(g))

8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products with prior approval of the principal or designee. (Education Code 48900(h))

9. Committed an obscene act or engaged in habitual profanity or vulgarity. (Education Code 48900(i))

10. Unlawfully possessed, or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code. (Education Code 489000))
11. Disrupted school activities or otherwise willfully defied 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))
12. Knowingly received stolen school property or private property. (Education Code 48900(1))
13. Possessed an imitation firearm, i.e., 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))
14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code 243.4. (Education Code 48900(n))
15. 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))
16. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug soma. (Education Code 48900(p))
17. Engaged in, or attempted to engage in, hazing as defined in Education Code 32050. (Education Code 48900(q))
18. Made terrorist threats against school officials and/or school property. (Education Code 48900.7)

A student in grades 4 through 12 is also subject to suspension or recommendation for expulsion when it is determined that he/she:

19. Committed sexual harassment as defined in Education Code 212.5. (Education Code 48900.2)
20. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 33032.5. (Education Code 48900.3)
21. 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 Glasswork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment (Education Code 48900.4)

(cf. 5145.3 -Nondiscrimination/Harassment)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent/principal or within any other school district, including but not limited to the following circumstances:

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.

The Superintendent/principal may use his/her discretion to provide alternatives to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program. (Education Code 48900(r))

cf. 5138 -Conflict Resolution/Peer Mediation)

Alternatives to suspension or expulsion will be used against students who are truant, tardy, or otherwise absent from assigned school activities.

(cf. 5113 -Absences and Excuses)

(cf. 5113.1 - Truancy)

Suspension from Class by a Teacher/Parental Attendance

A teacher may suspend any student from the teacher's class for any of the acts listed under "Grounds for Suspension and Expulsion" above for the day of the suspension and the day following. (Education Code 48910)

Suspension from class means the removal of a student from class by a teacher for the day of the suspension and the next day. A teacher may suspend a student from class and may also refer a student for consideration of suspension from school for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

When suspending a student from his/her class, the teacher shall immediately report this action to the principal and send the student to the principal for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been suspended.

As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the suspension. A counselor or psychologist should attend the conference if it is practicable, and a school administrator may attend if either the parent/guardian or teacher so request.

A suspended student shall not be returned to class during the period of suspension without the approval of the teacher of the class and the principal. (Education Code 48910)

A student suspended from class shall not be placed in another regular class during the period of suspension. However, if a student is assigned to more than one class per day, he/she may be placed in any 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 suspended student to complete any assignments and tests missed during the suspension. (Education Code 48913)

When a teacher requires a parent/guardian to attend school in accordance with Board Policy, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is required pursuant to law. (Education Code 48900.1)

1. This notice shall also tell the parent/guardian when his/her presence is expected and by what means he/she may arrange any necessary change.
2. The notice shall describe the protections afforded to the parent/guardian as an employee by Labor Code 230.7.
3. The notice shall state that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student.

The teacher shall remind the parent/guardian to meet with the principal or designee after completing the classroom visit and before leaving school premises.

Suspension By Superintendent, Principal Or Principal's Designee

A Superintendent, principal, or principal's designee may suspend a student from a school for any of the acts listed under "Grounds for Suspension and Expulsion" above for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

The Superintendent or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife, as defined in Education Code 48915(g), at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item 414 under "Grounds for Suspension and Expulsion" above.
5. Possession of an explosive as defined in 18 USC 921.

Suspension may be imposed upon a first offense if the Superintendent, principal or designee determines the student violated items (i) - (v) listed in "Grounds For Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903 and 48912)

Suspension Procedures

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the principal or designee or the Superintendent or designee between 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 and the evidence against him/her and shall be given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911(b))

This conference may be omitted if the principal, designee or the Superintendent or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or school personnel. If the pre-suspension conference is not held, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference will be held as soon as the student is physically able to return to school. (Education Code 48911(c))

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior

A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee, who in turn will inform the Board.

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 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 also state the date and time when the student may return to school.

Should school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may also add that state law requires the parent/guardian to respond to such request without delay.

4. Parent/Guardian Conference: Whenever a student is suspended, school officials may meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such conference. The student may not be denied readmission solely because the parent/guardian failed to attend. (Education Code 48911)

5. Extension of Suspension: If the expulsion of a suspended student is being considered by the Board, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision. (Education Code 48911(g))

Any extension of the original period of suspension shall be 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. Extension of the suspension may be made only if 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(g))

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal or Principal's 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 if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. 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 may hold closed sessions if a public hearing would lead to disclosure of information which would violate a student's right to privacy under Education Code 49073-49079.

(cf. 9321 -Closed Session Purposes and Agendas)

The Board shall provide the student with written notice of the closed session by registered or certified mail. Upon receiving this notice the student 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 shall be in closed session. (Education Codes 48912)

Authority to Expel

A student may be expelled only by the Board. The Board shall expel, as required by law, any student found to have committed certain offenses listed below under "Mandatory Recommendation and Mandatory Expulsion."

The Board may also order a student expelled for any of the acts listed above under "Grounds for Suspension and Expulsion" upon recommendation by the principal, Superintendent, hearing officer or administrative panel, based on finding either or both of the following: (Education Code 48915(b) and (e))

1. That other means of correction are not feasible
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

Mandatory Recommendation For Expulsion

The principal, Superintendent or designee shall recommend a student's expulsion for any of the following acts, unless the principal or Superintendent or designee finds, and reports in writing to the Board, that expulsion is inappropriate due to particular circumstances which shall be set out in the report of the incident:

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife as defined in Education Code 48915(g), explosive 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 the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee.

Mandatory Recommendation And Mandatory Expulsion

The principal, Superintendent or designee shall recommend that the Board expel any student found at school or at a school activity off school grounds to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48915(c).1)
2. Brandishing a knife as defined in Education Code 48915(g) at another person. (Education Code 48915(c).2)
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058. (Education Code 48915(c).3)
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above. (Education Code 48915(c).4)
5. Possessing an explosive as defined in 18 USC 921.

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

Student's Right to Expulsion Hearing

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred. (Education Code 48918(a))

The student is entitled to 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 district's discretion. (Education Code 48918(a))

If the district finds it impracticable 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))

Once the hearing starts, all matters shall be pursued with reasonable diligence and concluded without unnecessary delay. (Education Code 48918(a))

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 48915.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Education Code 48915.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing.
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies.
3. Have a closed hearing during the time he/she testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48915.5)

Written Notice of the Expulsion Hearing

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least ten 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. A parent/guardian of a student expelled for acts described in paragraphs through 4 of Education Code 48915(a), seeks enrollment in another district they must inform the new district of the students status with the expelling district, pursuant to Education Code 48915.1.

(cf. 5119 -Students Expelled from Other Districts)

5. The opportunity for the student or the student's parent/guardian to appear in person or to employ and be represented by counsel.
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.

Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and Education Code 35145, the Board shall conduct the hearing or arrange for an alternative 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 request is made, the meeting shall be public

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to deliberate and determine if the student should be expelled. If the Board admits any other person to the closed session, the parent/guardian, the student, counsel of the student and counsel of the parent/guardian shall also be allowed to attend the closed session. (Education Code 48918(c))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to have his/her testimony heard in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including but not limited to videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

2. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, so long as a reasonably accurate written and complete transcription of the proceedings can be made. (Education Code 48918(g))

3. Presentation of Evidence: While technical rules of evidence do not apply to such hearings, 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 must be supported by substantial evidence that the student committed any of the above acts listed under "Grounds for Suspension and Expulsion" above. Findings of fact shall be based solely on the evidence at the hearing.

While no evidence 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) and

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 Witness: The following procedures shall be observed when hearings involve allegations of sexual assault or sexual battery by a student: (Education Code 48918)

- a. Any complaining witness shall be given five days' notice before being called to testify.
- b. Any complaining witness shall be entitled to have up to two adult support persons, including but not limited to a parent/guardian or legal counsel, present during his/her testimony.
- c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- e. If one or both support persons are also witnesses, the hearing shall be conducted according to Penal Code 868.5.
- f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard.

Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.

g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.
(1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.

(2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.

(3) The person conducting the hearing may:

(a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness.

(b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.

(c) Permit one of the support persons to accompany the complaining witness to the witness stand.

6. Decision Within Ten Days: The Board's decision on whether to expel a student shall be made within ten school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

7. Decision Within 40 Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative 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. Alternatively, the Board may 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(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified in "Conduct of Expulsion Hearing" above.

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 student shall be immediately reinstated. (See "Reinstatement" below.) The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers and with the student's parent/guardian. (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))

The hearing officer or administrative panel may recommend that the Board suspend the expulsion for a period of one year. (See "Suspension of Expulsion" below.)

The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Stipulated Expulsions

It is the policy of the Redlands Unified School District that, where approved by the Superintendent or designee, parents/guardians may agree to the expulsion of their pupil by stipulation without necessity of a hearing. This process will expedite the pupil's school placement and may expedite the rehabilitation process.

A stipulated expulsion must be purely voluntary. No district administrator or staff member may coerce a pupil, parent or guardian into entering into such a stipulation. Parents/guardians will be given three calendar days to decide on a stipulated expulsion agreement.

If the parent/guardian requests a stipulated expulsion, the Superintendent or designee will promulgate the stipulated agreement. If at any time the parent/guardian decides not to pursue a stipulated agreement, the expulsion proceedings and timelines, extended by the length of the period for consideration of the stipulation, will be reinstated. The stipulated agreement will be presented to the Board for final consideration.

The stipulated agreement will include the terms and conditions of the expulsion order, including alternative placement and a rehabilitation plan to be completed before the student can be re-admitted to the district.

Final Action by the Board

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel, the final action to expel must be taken by the Board at a public meeting. (Education Code 489180)) The Board shall maintain a record of each expulsion, including its cause. Expulsion records shall be non- privileged, disclosable public records.

(cf. 9321.1 - Closed Session Actions and Reports)

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

Upon ordering the 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 an act listed under "Mandatory Recommendation and Mandatory Expulsion" above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. (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 of the student at the time of review for readmission.
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service and other rehabilitative programs.
3. Such other recommendations as the Board approves.

With parental 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)

Upon expulsion, a copy of readmission procedures will be made available to the student and his/her parent/guardian.

Written Notice to Expel

The Superintendent or designee shall send written notice of the decision to expel to the student or parent/guardian. The notice shall include the following:

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed in Education Code 48900(a)-(o), Education Code 48900.2-48900.4 and Education Code 48915(c). (Education Code 48900.8)
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian. (Education Code 48916)
3. Notice of the right to appeal such expulsion to the County Board of Education. (Education Code 48918)
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion. (Education Code 48918)
5. The notice also shall inform the student or parent/guardian of his/her 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)

Suspension of Expulsion

The Board, upon voting to expel a student, may suspend the enforcement of the expulsion order for not more than one calendar year. When deciding whether to suspend an expulsion, the Board shall take into account the following criteria:

1. The student's previous behavior.
2. The seriousness of the misconduct.
3. The student's attitude toward the misconduct and his/her willingness to follow a rehabilitation program.

The suspension of the enforcement of an expulsion shall be governed by the following: (Education Code 48917)

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.
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status.
3. The suspension of expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion" above or violates any of the district's rules and regulations governing student conduct.
4. When suspension of expulsion order is revoked, a student may be expelled under the terms of the original expulsion order
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expungement of any or all records of the expulsion proceedings.
6. Suspension 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 of Education.
7. 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 also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education. (Education Code 48918(i))

Right to Appeal

The student or parent/guardian is entitled to file an appeal of the Board's decision to the County Board of Education.

The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion action is suspended and the student is placed on probation. (Education Code 48919)

Post-Expulsion Placements

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 such a site.
3. Not housed at the school site attended by the student at the time of suspension.

(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for acts described in items #6 through # 13 and # 17 through # 19 under "Grounds for Suspension and Expulsion" above may be instead referred to a program of study that is provided at another comprehensive middle, junior, or senior high school, or at an elementary school.

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)

Reinstatement

When the Board accepts a recommendation against expulsion or makes its own decision after the hearing not to expel, the decision is final and the student shall be reinstated immediately. The Superintendent or designee shall place the student in any classroom program, other instructional program, rehabilitation program, or any combination of such programs following consultation with district personnel, including the teacher involved, and with the student's parent/guardian. (Education Code 48918(e))

Readmission

An expulsion order shall remain in effect until the Board may order the readmission of the student.

Readmission procedures shall be as follows:

1. A written request for review of expulsion action and request for readmission shall be submitted by the parent/guardian to the Superintendent or designee.
2. The Superintendent or designee will hold a conference with the parent/guardian and the student.
3. At the conference the conditions for readmission will be reviewed. The Superintendent or designee shall verify that the rehabilitation plan has been met.
4. School regulations will be reviewed and the student and parent/guardian will be asked to indicate in writing their willingness to comply with these regulations.
5. The Superintendent or designee will transmit the request for readmission to the Board, along with his/her recommendation. The Board shall consider the request in closed session if the information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it will be honored.
6. The Superintendent or designee will notify the student or parent/guardian, by registered mail, of the district's decision regarding readmission.
7. 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)
8. 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. (Education Code 48916)
9. 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)

Maintenance of Records

The Board will maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls, within five days of a written request by the admitting school. (Education Code 48900.8, 48918(k))

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district. (Education Code 48915.1)

cf. 5119 - Students Expelled from Other Districts)

(cf. 5125 - Student Records)

Notifications and Reports

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering or sale of controlled substances, alcohol, or intoxicants of any kind.

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 also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

Outcome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion.
2. The specific grounds for each recommended expulsion.
3. Whether the student was subsequently expelled.
4. Whether the expulsion order was suspended.
5. The type of referral made after the expulsion.
6. The disposition of the student after the end of the expulsion period.

Suspension and Expulsion/Due Process

Redlands Unified
Administrative Regulation
AR 51441
Adopted June 27, 1995
Students

Definitions

Suspension from school 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. Removal from a particular class shall not occur more than once every five school days.

Expulsion means removal of a student from the immediate supervision and control, or the general supervision, of school personnel. (Education Code 48925)

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian or legal counsel. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

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, suspension and expulsion. Transfer students and their parents/guardians shall be notified at the time of enrollment. (Education Code 35291.5, 48900.1, 48980)

(cf. 5144 - Discipline)

Notification shall include information about the ongoing availability of individual school rules and all district policies and regulations pertaining to student discipline. (Education Code 35291)

(cf. 5145.6 - Parental Notifications)

Grounds for Suspension and Expulsion

A student may be subject to suspension or expulsion when it is determined that he/she:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense. (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aide or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code 48900(s))

2. Possessed, sold, or otherwise furnished any firearm. Knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48900(b))

(cf. 5131 - Conduct)

(cf. 5131.7 - Weapons and Dangerous Instruments)

3. Unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of, any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind. (Education Code 48900(c))

(cf. 5131.6 - Alcohol and Other Drugs)

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid, substance or material and represented same as controlled substance, alcohol beverage or intoxicant. (Education Code 48900(d))

5. Committed or attempted to commit robbery or extortion. (Education Code 48900(e))

6. Caused or attempted to cause damage to school property or private property. (Education Code 48900(f))

7. Stole or attempted to steal school property or private property. (Education Code 48900(g))

8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products (Education Code 48900(h))

9. Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))

10. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5. (Education Code 48900(j))

11. Disrupted school activities or otherwise willfully defied 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))

12. Knowingly received stolen school property or private property. (Education Code 48900(l))

13. Possessed an imitation firearm, i.e., 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))

14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code 243.4. (Education Code 48900(n))

15. 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))

16. Made terrorist threats against school officials and/or school property. (Education Code 48900.7)

Pursuant to Education Code 48900.7, the making of a terrorist threat includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person or property damage in excess of \$1,000.00, 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.

A student in grades 4 through 12 is also subject to suspension or recommendation for expulsion when it is determined that he/she:

17. Committed sexual harassment as defined in Education Code 212.5. (Education Code 48900.2)

Pursuant to Education Code 48900.2 the conduct constitutes harassment when considered from the perspective of a reasonable person of the same gender as the victim to be 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.

(cf. 5145.7 - Sexual Harassment)

18. 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)

(cf. 5145.9 - Hate-Motivated Behavior)

Education Code 233 defines "hate violence" as any act punishable under Penal Code 422.6, 442.7 or 422.75. Such acts include injuring or intimidating another person, interfering with the exercise of a person's civil rights, or damaging a person's property because of the person's race, color, religion, ancestry, national origin, disability, gender or sexual orientation.

19. Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading student rights by creating an intimidating or hostile educational environment. (Education Code 48900.4)

(cf. 5145.3 - Nondiscrimination/Harassment)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent or principal or within any other school district, including but not limited to the following circumstances: (Education Code 48900)

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.

The Superintendent or principal may use his/her discretion to provide alternative to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program. (Education Code 48900(r))

Alternatives to suspension or expulsion will be used with students who are truant, tardy, or otherwise absent from assigned school activities.

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Truancy)

Removal from Class by a Teacher/Parental Attendance

A teacher may suspend any student from his/her class for the remainder of the day and the following day for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

A teacher also may refer a student to the principal or designee for consideration of suspension from school. (Education Code 48910)

When removing a student from his/her class, the teacher shall immediately report this action to the principal and send the student to the principal for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been removed.

As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the removal. A counselor or psychologist should attend the conference if it is practicable, and a school administrator may attend if either the parent/guardian or teacher so requests.

A student removed from class shall not be returned to class during the period of removal without the approval of the teacher of the class and the principal. (Education Code 48910)

A student removed from class shall not be placed in another regular class during the period of removal. However, if a student is assigned to more than one class per day, he/she may be placed in any other regular classes except those held at the same time as the class from which the student was removed. (Education Code 48910)

The teacher of any class from which a student is removed may require the student to complete any assignments and tests missed during the removal. (Education Code 48913)

Pursuant to Board policy, a teacher may provide that the parent/guardian of a student whom the teacher has removed attend a portion of a school day in his/her child's classroom. When a teacher makes this request, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is requested pursuant to law. (Education Code 48900.1)

This notice shall also:

1. Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternate date.
2. Describe the legal protections afforded to the parent/guardian as an employee under Labor Code 230.7.
3. State that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student.
4. Ask the parent/guardian to meet with the principal after the visit and before leaving school, as required by Education Code 48900.1.

Suspension by Superintendent, Principal or Principal's Designee

The Superintendent, principal or principal's designee may suspend a student from a school for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

The Superintendent or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife, as defined in Education Code 48915(g), at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion".
5. Possession of an explosive as defined in 18 USC 921.

Suspension also may be imposed upon a first offense if the Superintendent, principal or designee determines the student violated items #1-5 listed in "Grounds for Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903, 48912)

The Superintendent or designee may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which a student may be suspended in any school year. (Education Code 48903)

Suspensions shall be initiated according to the following procedures:

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the principal, designee or the Superintendent 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 and the evidence against him/her; the student shall be given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911(b))

This conference may be omitted if the principal, designee or the Superintendent determines that an emergency situation exists. An "emergency situation" involves 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 a conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference will be held as soon as the student is physically able to return to school. (Education Code 48911(c))

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee.

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 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 also state the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may add that state law requires the parent/guardian to respond to such requests without delay.

4. Parent/Guardian Conference: Whenever a student is suspended, school officials may meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such conference. The student may not be denied readmission solely because the parent/guardian failed to attend. (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. (Education Code 48911(g))

Any extension of the original period of suspension shall be 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. Extension of the suspension may be made only if 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)

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal or Principal's 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 if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. 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 closed sessions if a public hearing would lead to disclosure of information violating a student's right privacy under Education Code 49073-49079.

(cf. 9321 - Closed Session Purposes and Agendas)

The Board shall provide the student and his/her parent/guardian with written notice of the closed session by or certified mail. 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 Codes 35146, 48912)

On-Campus Suspension Program

Students for whom an expulsion action has not been initiated and who pose no imminent danger or threat to the school may be assigned to a separate, supervised suspension classroom for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

1. The supervised suspension classroom shall be staffed in accordance with law.
2. The student shall have access to appropriate counseling services.
3. The supervised suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.
4. Each student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom. The teacher 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 a supervised 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 shall be made in writing. (Education Code 48911.1)

Authority to Expel

A student may be expelled only by the Board. The Board shall expel, as required by law, any student found to have committed certain offenses listed below under "Mandatory Recommendation and Mandatory Expulsion."

The Board also may order a student expelled for any of the acts listed under "Grounds for Suspension and Expulsion" upon recommendation by the principal, Superintendent, hearing officer or administrative panel, based on finding 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.

Mandatory Recommendation for Expulsion

Unless the principal, Superintendent or designee finds that expulsion is inappropriate due to particular circumstances, the principal, Superintendent or designee shall recommend a student's expulsion for any of the following acts: (Education Code 48915 (a))

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife as defined in Education Code 48915(g), explosive or other dangerous object of no reasonable use to the student.
3. Unlawful possession of any controlled substance, as listed in the Health and Safety Code 11053-11058, except for the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee.

Mandatory Recommendation and Mandatory Expulsion

Note: The Attorney General has determined, in 80 Ops.Cal. Atty. Gen. 347 (1997), that a district may not adopt a zero tolerance policy mandating expulsion of a student for a first offense of possession of a controlled substance or alcohol.

The principal, Superintendent or designee shall recommend that the Board expel any student found at school or at a school activity to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife as defined in Education Code 48915(g) at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above.
5. Possessing an explosive as defined in 18 USC 921.

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

The initial recommendation for consideration of expulsion is that of the school principal or the Superintendent. Designees may not make this type of recommendation.

The recommendation for consideration of expulsion shall be submitted to the Director, Office of Student Services, who will review the material and recommend:

1. Reassignment to appropriate regular education program.
2. Refer student to Alternative Program; i.e., Community School, Independent Study, Continuation or Opportunity School, or other district programs.
3. Refer the matter to the Discipline Review Panel for further consideration.

When a case is referred to the discipline Review Panel, the panel shall question school personnel who have information on the incident and the behavior record of the student charged and weighs the evidence presented.

The panel shall, in the case of an expulsion consideration, weigh information presented to determine:

- a. Is the evidence sufficient to support consideration by the expulsion panel?
- b. Has the district, through the schools involved, considered or utilized alternatives to expulsion when possible?
- c. Have due process procedures been adhered to?

The recommendation shall be either to proceed with the expulsion or to utilize an existing practical alternative in lieu of expulsion.

If the district (school) has not adhered to due process requirements, the student shall be returned to school immediately.

If the Discipline Review Panel meets to consider a matter other than an expulsion, it shall provide its best judgment as to an effective alternative program or plan to action.

The recommendation of the Discipline Review Panel shall be forwarded to the Director, Office of Student Services, who shall then review the facts, concur, veto or modify the recommendation.

4. That an expulsion panel be convened.

At the time a recommendation for expulsion is submitted, a hearing shall be scheduled by the Superintendent or designee to determine whether the suspension shall be extended. If the decision is to extend the suspension, the period of time shall be until the Board has rendered a decision or until the expulsion process is otherwise terminated.

The extension of suspension shall be based upon determination by the Superintendent or designee that the presence of the student at the school or in an alternative school placement would cause a danger to persons or property or a threat of disrupting the instructional process. This extension shall be imposed only after the student and the parent/guardian have been given the opportunity to be present at a hearing conducted by the Superintendent or designee. At this time, the student and parent/guardian shall be given the opportunity to be heard and present any information that might bear upon the decision.

Materials which support the decision of the person recommending the expulsion shall be prepared and submitted to the Office of Student Services. The departments of Attendance, Guidance, Special Education and/or Health may be requested to assist in the preparation of this material.

Student's Right to Expulsion Hearing

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred. (Education Code 48918 (a))

The student is entitled to 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 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 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 no 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))

Waiver of Hearing (Default Proceedings)

If the parent/guardian agrees that their son/daughter behaved essentially in the manner stated in the principal's letter recommending expulsion and that such behavior constitutes a violation of the California Education Code, Section 48900, 48900.2, 48900.3, 48900.4, 48900.7 and/or 48915 a suspendable/expellable offense, the parent/guardian may request to waive the Administrative Hearing Panel.

When the parent/guardian agrees to waive the Administrative Hearing Panel, they also waive all notification and timelines related to the expulsion hearing process, along with their rights to appeal the determination of the Board.

The signed affidavit and findings of fact will be submitted to the Board for their approval. The Board has the discretionary power to accept, reject, or modify all recommendations.

Rights of Complaining Witness

An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental or emotional needs of a student who is the complaining witness. (Education Code 48918.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to all the following: (Education Code 48918.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing.
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies.
3. Have a closed hearing during the time he/she testifies.

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48918.5)

Written Notice of the Expulsion Hearing (Education Code 48918(b))

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least 10 calendar days before the date of the hearing. The notice shall include: (Education Code 48900.8, 48918 (b))

1. The date and place of the hearing.
2. A statement of the specific facts, charges and offense upon which the proposed expulsion is based.
3. A copy of district disciplinary rules which relate to the alleged violation.
4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment. This obligation applies when a student is expelled for acts other than those described in Education Code 48915 (a) or (c).
(cf. 5119 - Students Expelled from other Districts)

5. The opportunity for the student or the student's parent/guardian to appear in person and/or be represented by legal counsel or by a non-attorney advisor.

Legal counsel means an attorney or lawyer who is admitted to the practice of law in California and is an active member of the State Bar of California.

Non-attorney advisor 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.

Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and 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 request is made, the meeting shall be public, unless another student's privacy rights would be violated.

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to determine if the student should be expelled. If the Board admits any other person to the closed session, the parent/guardian, the student, and the counsel of the student, shall also be allowed to attend the closed session. (Education Code 48918(c))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to have his/her testimony heard in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including but not limited to videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

2. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate written and complete transcription of the proceedings can be made. (Education Code 48918(g))

3. Subpoenas: Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with the Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20, formerly 11525. (Education Code 48918(i))

Any objection raised by the student or the Superintendent or designee to the issuance of subpoenas may be considered by the Board in closed session, or in open session if so requested by the student, before the meeting. The Board's decision in response to such an objection shall be final and binding. (Education Code 48918(i))

If the Board determines, or if the hearing officer or administrative panel finds and submits to the Board, that a witness would be subject to unreasonable risk of harm by testifying at the hearing, a subpoena shall not be issued to compel the personal attendance of that witness at the hearing. However, that witness may be compelled to testify by means of a sworn declaration as described in item #4 below. (Education Code 48918(i))

4. Presentation of Evidence: While technical rules of evidence do not apply to expulsion hearings, 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 must be supported by substantial evidence that the student committed any of the acts listed in "Grounds for Suspension and Expulsion" above.

Findings of fact shall be based solely on the evidence at the hearing. While no evidence 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) and (h))

In cases where a search of a student's person or property has occurred, evidence describing the reasonableness of the search shall be included in the hearing record.

5. Testimony by Complaining Witnesses: The following procedures shall be observed when hearings involve allegations of sexual assault or sexual battery by a student: (Education Code 48918)

- a. Any complaining witness shall be given five days' notice before being called to testify.
- b. Any complaining witness shall be entitled to have up to two adult support persons, including but not limited to a parent/guardian or legal counsel, present during his/her testimony.
- c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- e. If one or both support persons are also witnesses, the hearing shall be conducted according to Penal Code 868.5.
- f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.
- g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.
 - (1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.
 - (2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.
 - (3) The person conducting the hearing may:
 - (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness.
 - (b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.

(c) Permit one of the support persons to accompany the complaining witness to the witness stand.

6. Decision Within 10 Days: The Board's decision on whether to expel a student shall be made within 10 school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

7. Decision Within 40 Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

Instead of conducting an expulsion hearing itself, the Board may contract with the county hearing officer or with the Office of Administrative Hearings of the State of California for a hearing officer. Alternatively, the Board may 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(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified in "Conduct of Expulsion Hearing."

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 student shall be immediately reinstated. (See "Reinstatement.") The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers, and with the student's parent/guardian. (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 for a period of one year. (See "Decision Not to Enforce Expulsion Order" below.)

The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

The Discipline Review Panel

The Discipline Review Panel will consist of elementary educators when a review is being made of an elementary student and of secondary educators when a review is being made of secondary student.

1. The Discipline Review Panel shall hear the following types of disciplinary cases:

- a. Requests for expulsion from site principals or the Superintendent.
- b. School site administrative requests for assistance (non-expulsion situations).

2. Each discipline review panel shall consist of three certificated persons plus a chairperson and shall consist of elementary educators when a review is being made of an elementary student and of secondary educators when a review is being made of a secondary student. A panelist may not serve on any panel involving a student who is currently attending the school in which he/she is assigned. A representative from Student Services shall be a nonvoting member of each panel.

A chairperson and assistant chairperson, to serve when the chairperson is unable to serve, shall be appointed by the Superintendent or designee and shall serve at his/her pleasure. Neither shall be a member of the Student Services staff.

A pool of panelists shall be established which shall be composed of personnel who have served or are currently serving as members of administrative expulsion panels. The committee chairman shall select members to serve on individual panels.

The meetings of the discipline review panel are open to school district personnel only.

The duties of the Discipline Review Panel are as follows:

1. The chairperson shall call a meeting of the panel as soon as possible, but no later than 10 school days after the receipt of notice of a pending case.

2. A recommendation must be forwarded to the Director, Office of Student Services, within three days of the review hearing.
3. In the event a member of the committee cannot be present at a meeting, the Director, Office of Student Services, will appoint an alternate from the pool to attend.

Final Action by the Board

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel, the final action to expel shall be taken by the Board at a public meeting. (Education Code 48918(j))

(cf. 9321.1 - Closed Session Actions and Reports)

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

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 an act listed under "Mandatory Recommendation and Mandatory Expulsion" above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. (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 of the student at the time of review for readmission.
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service and other rehabilitative programs.

With parental 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 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 in Education Code 48900 (a)-(o), Education Code 48900.2-48900.4, Education Code 48915 (c) and (Education Code 48900.8).
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian. (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Governing Board. (Education Code 48918)
4. Notice of the alternative educational placements 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 Not to Enforce Expulsion Order

In accordance with Board policy, when deciding whether to suspend the enforcement of an expulsion, the Board shall take into account the following criteria:

1. The student's pattern of behavior.
2. The seriousness of the misconduct.
3. The student's attitude toward the misconduct and his/her willingness to follow a rehabilitation program.

The suspension of the enforcement of an expulsion shall be governed by the following: (Education Code 48917)

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.
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status.

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” above or violates any of the district’s rules and regulations governing student conduct.
4. When the suspension of the enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order.
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings.
6. 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 County Board of Education.
7. 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 also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education. (Education Code 48918 (j))

Right to Appeal

The student or parent/guardian is entitled to file an appeal of the Board’s decision to the County Board of Education. The appeal must be filed within 30 days of the Board’s decision to expel, even if the expulsion action is suspended and the student is placed on probation. (Education Code 48919)

Post-Expulsion Placements

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 such a site.
3. Not housed at the school site attended by the student at the time of suspension.

(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for acts described in items #6 through #13 and #17 through #19 under “Grounds for Suspension and Expulsion” may be instead 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

Readmission procedures shall be as follows:

1. On the date set by the Board when it ordered the expulsion, the district shall consider readmission of the student. (Education Code 48916)
2. 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.
3. The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session if information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it shall be honored.
4. 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.
5. 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)
6. 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. (Education Code 48916)

7. 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)

Maintenance of Records

The Board shall maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls, within five days of a written request by the admitting school. (Education Code 48900.8, 48918(k))

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district. (Education Code 48915.1)

(cf. 5119 - Students Expelled from Other Districts)

(cf. 5125 - Student Records)

Notifications 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 also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering or sale of controlled substances, alcohol, or intoxicants of any kind. (Education Code 48902)

Ouome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion.
2. The grounds for each recommended expulsion.
3. Whether the student was subsequently expelled.
4. Whether the expulsion order was suspended.
5. The type of referral made after the expulsion.
6. The disposition of the student after the end of the expulsion period.

Regulation: REDLANDS UNIFIED SCHOOL DISTRICT

Approved: June 27, 1995, Redlands, California

(D) Procedures to Notify Teachers of Dangerous Pupils (EC 49079)

Whenever a student is identified as violent or dangerous per E.C. 49079 the teacher will be informed by the principal. The teacher shall keep this information in confidence and must not further disseminate it. However, if the teacher believes that the student is improperly placed (or is an immediate danger) these opinions (and related observations) should be shared with the principal immediately. The District office also has a responsibility to insure that all appropriate actions are taken to identify, notify and support necessary interventions with regard to violent or dangerous pupils. Student Services Department notifies Principals at the beginning of each school year of students who were suspended in the prior year. Principals, in turn, notify the current teacher.

(E) Sexual Harassment Policies (EC 212.6 [b])

Policy 4119.11: Sex Discrimination and Sex-Based Harassment

The Governing Board is committed to providing a safe work environment that is free of harassment and intimidation. The Board prohibits sexual harassment against district employees by anyone, in any manner, and prohibits retaliatory action or behavior against any persons who complains, testifies, or otherwise participates in the complaint process established pursuant to this policy and accompanying administrative regulation. This policy shall apply to all district employees, interns, volunteers, contractors, job applicants, and other persons with an employment relationship with the district.

(cf. 0410 - Nondiscrimination in District Programs and Activities) (cf. 4030 - Nondiscrimination in Employment)

Sexual harassment includes, but is not limited to, harassment that is based on the sex, gender, gender identity, gender expression, or sexual orientation of the victim and harassment based on pregnancy, childbirth, or related medical conditions.

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation, and correction of sexual harassment, including but not limited to:

1. Providing training to all staff in accordance with law and administrative regulation.
2. Publicizing and disseminating the district's sexual harassment policy to staff.
3. Ensuring prompt, thorough, equitable, and fair investigation of complaints
4. Taking timely and appropriate corrective/remedial actions which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments.

The Superintendent or designee shall periodically evaluate the effectiveness of the district's strategies to prevent and address harassment. Such evaluation may involve conducting regular anonymous employee surveys to assess whether harassment is occurring or is perceived to be tolerated, partnering with researchers or other agencies with the needed expertise to evaluate the district's prevention strategies, and using any other effective tool for receiving feedback on systems and/or processes. As necessary, changes shall be made to the harassment policy, complaint procedures, or training.

Sexual Harassment Reports and Complaints

Any district employee who feels that he/she has been sexually harassed in the performance of their district responsibilities or who has knowledge of any incident of sexual harassment by or against another employee shall immediately report the incident to his/her supervisor, the principal, other district administrator, or the district's Title IX Coordinator. However, an employee may bypass his/her supervisor in filing a complaint if the supervisor is the subject of the complaint. A supervisor, principal, or district administrator who receives a harassment complaint shall promptly notify the Title IX Coordinator.

Once notified, the Title IX Coordinator shall ensure the complaint or allegation is addressed through AR 4119.12/4219.12/4319.12 – Title IX Sexual Harassment Complaint Procedures or AR 4030- Nondiscrimination in Employment, as applicable. Because a complaint or allegation that is dismissed or denied under the Title IX complaint procedure may still be subject to consideration under state law, the Title IX Coordinator shall ensure that any implementation of AR 4119.12/4219.12/4319.12 concurrently meets the requirements of AR 4030.

Notwithstanding the above, BP/AR 4119.12/4219.12/4319.12 and 4030 shall under no circumstances be used to resolve complaints brought by, on behalf of, or against students. All complaints brought by, on behalf of, or against students that allege “sexual harassment” as that term is defined in the federal regulations implementing Title IX of the Education Amendments of 1972 (see 34 C.F.R. § 106, et seq.) shall be investigated and resolved under BP/AR 5145.71. All complaints brought by, on behalf of, or against students that do not meet the definition of “sexual harassment” as set forth in the Title IX implementing regulations shall be investigated and resolved under BP/AR 1312.3.

(cf. 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaints)

The Title IX Coordinator shall offer supportive measures to the complainant and respondent, as deemed appropriate under the circumstances.

Upon investigation of a sexual harassment complaint, any district employee who engages, or participates in sexual harassment, or who aids, abets, incites, compels, or coerces another to commit sexual harassment in violation of this policy is subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Reports) (cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4218 -

Dismissal/Suspension/Disciplinary Action)

Regulation 4119.12: Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures

The complaint procedures described in this administrative regulation shall be used to address any complaint governed by Title IX of the Education Amendments of 1972 alleging that a district employee, while in an education program or activity in which a district school exercises substantial control over the context and respondent, was subjected to one or more of the following forms of sexual harassment: (34 CFR 106.30, 106.44)

1. A district employee conditioning the provision of a district aid, benefit, or service on a person's participation in unwelcome sexual conduct
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291 (cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

All other sexual harassment complaints or allegations shall be investigated and resolved in accordance with AR 4030

- Nondiscrimination in Employment. The determination of whether the allegations meet the definition of sexual harassment under Title IX shall be made by the district's Title IX Coordinator.

(cf. 4030 - Nondiscrimination in Employment)

Because the complainant has a right to pursue a complaint under AR 4030 for any allegation that is dismissed or denied under the Title IX complaint procedure, the Title IX Coordinator shall ensure that all requirements and timelines for AR 4030 are concurrently met while implementing the Title IX procedure.

Reporting Allegations/Filing a Formal Complaint

An employee who is the alleged victim of sexual harassment may submit a report of sexual harassment to the district's Title IX Coordinator using the contact information listed in AR 4119.11/4219.11/4319.11 - Sexual Harassment or to the employee's direct supervisor or other district administrator, who shall forward the report to the Title IX Coordinator within one day of receiving the report. Upon receiving such a report, the Title IX Coordinator shall inform the complainant of the right to file a formal complaint and the process for filing a formal complaint.

A formal complaint, with the complainant's physical or digital signature, may be filed with the Title IX Coordinator in person, by mail, by email, or by any other method authorized by the district. (34 CFR 106.30)

Even if the alleged victim chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations when a safety threat exists. In addition, the Title IX Coordinator may file a formal complaint in other situations as permitted under the Title IX regulations, including as part of the district's obligation to not be deliberately indifferent to known allegations of sexual harassment. In such cases, the Title IX Coordinator shall provide the alleged victim notices as required by the Title IX regulations at specific points in the complaint process.

The Title IX Coordinator, investigator, decision-maker, or a facilitator of an informal resolution process shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. Such persons shall receive training in accordance with 34 CFR 106.45. (34 CFR 106.45)

Supportive Measures

Upon receipt of a report of Title IX sexual harassment, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures and shall consider the complainant's wishes with respect to the supportive measures implemented. Supportive measures shall be offered as appropriate, as reasonably available, and without charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures shall be nondisciplinary, nonpunitive, and not unreasonably burden the other party, including measures designed to protect the safety of all parties or the district's educational environment or to deter sexual harassment. Supportive measures may include, but are not limited to, counseling, extensions of deadlines, modifications of work schedules, mutual restrictions on contact, changes in work locations, leaves of absence, increased security, and monitoring of certain areas of the campus. (34 CFR 106.30, 106.44)

The district shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the district's ability to provide the supportive measures. (34 CFR 106.30)

Emergency Removal

If a district employee is the respondent, the employee may be placed on administrative leave during the pendency of the formal complaint process. (34 CFR 106.44)

If the respondent is a student, the district may, on an emergency basis, remove the student from the district's education program or activity, provided that the district conducts an individualized safety and risk analysis, determines that removal is justified due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations, and provides the student with notice and an opportunity to challenge the decision immediately following the removal. This authority to remove a student does not modify a student's rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973. (34 CFR 106.44)

Dismissal of Complaint

The Title IX Coordinator shall dismiss a formal complaint if the alleged conduct would not constitute sexual harassment as defined in

34 CFR 106.30 even if proved. The Title IX Coordinator shall also dismiss any complaint in which the alleged conduct did not occur in the district's education program or activity or did not occur against a person in the United States, and may dismiss a formal complaint if the complainant notifies the district in writing that the complainant would like to withdraw the complaint or any allegations in the complaint, the respondent is no longer employed by the district, or sufficient circumstances prevent the district from gathering evidence sufficient to reach a determination with regard to the complaint. (34 CFR 106.45)

Upon dismissal, the Title IX Coordinator shall promptly send written notice of the dismissal and the reasons for the dismissal simultaneously to the parties and shall inform them of their right to appeal the dismissal of a formal complaint or any allegation in the complaint in accordance with the appeal procedures described in the section "Appeals" below. (34 CFR 106.45)

If a complaint is dismissed, the conduct may still be addressed pursuant to AR 4030 - Nondiscrimination in Employment as applicable.

Informal Resolution Process

When a formal complaint of sexual harassment is filed, the district may offer an informal resolution process, such as mediation, at any time prior to reaching a determination regarding responsibility. The district shall not require a party to participate in the informal resolution process or to waive the right to an investigation and adjudication of a formal complaint. (34 CFR 106.45)

The district may facilitate an informal resolution process provided that the district: (34 CFR 106.45)

1. Provides the parties with written notice disclosing the allegations, the requirements of the informal resolution process, the right to withdraw from the informal process and resume the formal complaint process, and any consequences resulting from participating in the informal resolution process, including that records will be maintained or could be shared.
2. Obtains the parties' voluntary, written consent to the informal resolution process

Written Notice

If a formal complaint is filed, the Title IX Coordinator shall provide the known parties with written notice of the following: (34 CFR 106.45)

1. The district's complaint process, including any informal resolution process
2. The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known. Such notice shall be provided with sufficient time for the parties to prepare a response before any initial interview. If, during the course of the investigation, new Title IX allegations arise about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.
3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process
4. The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an attorney, and the ability to inspect and review evidence
5. The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process

The above notice shall also include the name of the investigator, facilitator of an informal process, and decision-maker and shall inform the parties that, if at any time a party has concerns regarding conflict of interest or bias regarding any of these persons, the party should immediately notify the Title IX Coordinator.

Investigation Procedures

During the investigation process, the district's designated investigator shall: (34 CFR 106.45)

1. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and

exculpatory evidence

2. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence
3. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney
4. Not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding, although the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as the restrictions apply equally to both parties
5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate
6. Send in an electronic format or hard copy to both parties and their advisors, if any, the evidence obtained as part of the investigation that is directly related to the allegations raised in the complaint, and provide the parties at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report
7. Objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and determine credibility in a manner that is not based on a person's status as a complainant, respondent, or witness
8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review and written response

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. (34 CFR 106.45)

Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.

If the complaint is against an employee, rights conferred under an applicable collective bargaining agreement shall be applied to the extent they do not conflict with the Title IX requirements.

Written Decision

The Superintendent shall designate an employee as the decision-maker to determine responsibility for the alleged conduct, who shall not be the Title IX Coordinator or a person involved in the investigation of the matter. (34 CFR 106.45)

After the investigative report has been sent to the parties but before reaching a determination regarding responsibility, the decision-maker shall afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party.

The decision-maker shall issue, and simultaneously provide to both parties, a written decision as to whether the respondent is responsible for the alleged conduct. (34 CFR 106.45)

The written decision shall be issued within 60 calendar days of the receipt of the complaint.

The timeline may be temporarily extended for good cause with written notice to the complainant and respondent of the extension and the reasons for the action. (34 CFR 106.45)

In making this determination, the decision-maker shall use the "preponderance of the evidence" standard for all formal complaints of sexual harassment. (34 CFR 106.45)

The written decision shall include the following: (34 CFR 106.45)

1. Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR 106.30

2. A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the district includes hearings as part of the grievance process
3. Findings of fact supporting the determination
4. Conclusions regarding the application of the district's code of conduct or policies to the facts
5. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's educational program or activity will be provided by the district to the complainant
6. The district's procedures and permissible bases for the complainant and respondent to appeal

Appeals

Either party may appeal the district's decision or dismissal of a formal complaint or any allegation in the complaint, if the party believes that a procedural irregularity affected the outcome, new evidence is available that could affect the outcome, or a conflict of interest or bias by the Title IX Coordinator, investigator(s), or decision-maker(s) affected the outcome. If an appeal is filed, the district shall: (34 CFR 106.45)

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties
2. Ensure that the decision-maker(s) for the appeal is trained in accordance with 34 CFR 106.45 and is not the same decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator
3. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome
4. Issue a written decision describing the result of the appeal and the rationale for the result
5. Provide the written decision simultaneously to both parties

An appeal must be filed in writing within 10 calendar days of receiving the notice of the decision or dismissal, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered.

A written decision shall be provided to the parties within 20 calendar days from the receipt of the appeal.

Either party has the right to file a complaint with the U.S. Department of Education's Office for Civil Rights within 180 days of the date of the most recently alleged misconduct.

The complainant shall be advised of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal antidiscrimination laws, if applicable.

Remedies

When a determination of responsibility for sexual harassment has been made against the respondent, the district shall provide remedies to the complainant. Such remedies may include the same individualized services described above in the section "Supportive Measures," but need not be nondisciplinary or nonpunitive and need not avoid burdening the respondent. (34 CFR 106.45)

Disciplinary Actions

The district shall not impose any disciplinary sanctions or other actions against a respondent, other than supportive measures as described above in the section "Supportive Measures," until the complaint procedure has been completed and a determination of responsibility has been made. (34 CFR 106.44)

When an employee is found to have committed sexual harassment or retaliation, the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Report)

(cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4119.11/4219.11/4319.11 - Sexual Harassment) (cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Record-Keeping

The Superintendent or designee shall maintain, for a period of seven years: (34 CFR 106.45)

1. A record of all reported cases and Title IX investigations of sexual harassment, any determinations of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary sanctions imposed, any remedies provided to the complainant, and any appeal or informal resolution and the results therefrom.
2. A record of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment, including the district's basis for its conclusion that its response was not deliberately indifferent, the measures taken that were designed to restore or preserve equal access to the education program or activity, and, if no supportive measures were provided to the complainant, the reasons that such a response was not unreasonable in light of the known circumstances.
3. All materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process. The district shall make such training materials publicly available on its web site, or if the district does not maintain a web site, available upon request by members of the public.

(cf. 1113 - District and School Web Sites) (cf. 3580 - District Records)

(F) School-wide Dress Code Relating to Gang-Related Apparel (EC 35183)

Policy 5132.16: Student Dress Guidelines

The Governing Board believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Students' clothing must not present a health or safety hazard or a distraction which would interfere with the educational process.

Students and parents/guardians shall be informed about dress and grooming standards at the beginning of the school year and whenever these standards are revised. A student who violates these standards shall be subject to appropriate 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 dress code may be included as part of the school safety plan and must be presented to the Board for approval. The Board shall approve the plan upon determining that it is necessary to protect the health and safety of the school's students.

Uniforms

The Board recognizes that, in order to promote student safety and discourage peer rivalry and/or gang activity, the principal, staff and parent/guardian at a school site may wish to establish a reasonable dress code, which may include voluntary school uniforms.

Dress codes, which include voluntary school uniforms, may be included as part of the school safety plan submitted as required.

The Superintendent or designee shall establish procedures that schools, parents and guardians will follow if they decide to participate with the voluntary school uniform policy. Students shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardian decide not to participate.

The Governing Board feels that there is nothing inherently wrong with dress or color of dress, but when student's dress serves to intimidate or impede the rights of other students it will be determined that dress is in violation of this policy. A student may not remain at school dressed in a manner which (1) creates a safety hazard for said student or for other students at school, and/or (2) when the dress constitutes a serious and unnecessary distraction to the learning process or tends to disrupt campus order

When the site administrator/designee determines that a student's attire is in violation of this policy, the student will be required to modify his/her clothing and/or apparel in such a manner that it no longer violates this policy. If necessary, the student may be taken or sent home with parental permission to modify unacceptable dress and return to school. Refusal to take steps as described in this policy shall be cause for disciplinary action against the student. Any such disciplinary action shall be handled pursuant to existing student disciplinary policy

Parents/guardians have primary responsibility to see that students are properly attired for school. School district personnel have the responsibility for maintaining proper and appropriate conditions conducive to learning. Hence, the following guidelines will be implemented in all district schools.

1. Shoes will be worn at all times. A substantial sole is required and enclosed toe and heel footwear are highly encouraged.
2. Extremely brief garments that are distracting to the educational environment are not appropriate. Clothing shall be sufficient to conceal undergarments at all times.
3. Clothing or accessories shall be free of writing, pictures or any other insignia which are crude, violent, obscene or sexually suggestive or which advocate racial, ethnic or religious prejudice or the use of tobacco, drugs or alcohol.
4. Earrings, jewelry, or accessories which present a safety hazard to the wearer or others are not suitable for school wear.
5. Only prescription sunglasses may be worn in class. Other types of sunglasses may be worn on campus outside of class.
6. Identified gang attire such as bandannas, haircuts or hair rollers, or any gang paraphernalia are prohibited.

Students are allowed to wear sun protective clothing, including hats, while outdoors during the school day. Each school site will develop a policy indicating the type of sun protective hats that are permitted.

No grade of a student participating in a physical education class shall be adversely affected if the student does not wear standardized physical education apparel because of circumstances beyond the student's control. (Education Code 49066) All clothing worn during physical education shall meet reasonable safety standards.

The purpose of adopting these Student Dress Guidelines is not to infringe on any individual student's rights to freedom of expression, but rather to encourage students to dress appropriately and come to school properly prepared for participating in the educational process.

Gang-Related Apparel

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed as needed and updated as necessary.

Uniforms

In schools where a majority of parents respond and indicate on a survey that they desire to establish a voluntary school-wide uniform dress code, the principal, staff and the parents/guardians of the individual school site shall:

1. Jointly select the specific uniform to be worn. (Education Code 35183)
2. Describe the uniform parts and identify local vendors who sell those pieces of clothing. A description of the implementation of the voluntary uniform dress code will be submitted to the superintendent's designee including:
 - a. The process for parent notification
 - b. Positive procedures that will be used to encourage students to participate with the voluntary uniform dress code
3. A description of the uniform and a list of costs for each competitively priced item of clothing as provided by a variety of vendors will be sent to parents.
4. Parents will be notified that this is a voluntary uniform dress code and that students not participating shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardians so decide.

Parent Notification

The principal shall give parents/guardian at least six months notice before a school site implements a voluntary school uniform dress code. (Education Code 35183)

(G) Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School (EC 35294.2)

Closed campus: All doors which provide access to classrooms and other rooms, except the main office, remain locked. All visitors to the campus must come through the office to sign in through the Raptor System and obtain a visitor's badge which they must wear for the duration of the time they are on campus. All perimeter gates are locked during school hours.

Leaving early: Students must stay on campus from the time of arrival in the morning until school ends. Students may leave campus during school hours if parents, guardians, or persons designated by parents or guardians come to pick them up from school. A prior written request from a parent or guardian must be submitted if someone other than the parent or someone on the emergency card is going to pick up a child. Persons picking up students during the school day must sign the student out in the front office. They must be at least 18 years of age and provide a valid ID. Under no circumstances should a student leave campus without permission.

Late arrivals: If a student is late in the morning, they must report to the office for a late slip and then quickly go to class.

Volunteers: Victoria appreciates our volunteers. School volunteers are required to fill out a volunteer application. Upon clearance you may begin volunteering. Volunteers are required to check in with school personnel at each visit.

(H) A Safe and Orderly School Environment Conducive to Learning (EC 35294.2)

Component:

Physical Environment

The Schools' Location and Physical Environment

Victoria Elementary School is located in the San Bernardino area of San Bernardino County which has an average crime rate and above average poverty level. The immediate area around the school includes a park, a train track (including a crossing), and a busy street.

Description of School Grounds

The school site encompasses 10.9 acres. The grounds are grass, concrete and asphalt and includes basketball and volleyball courts, baseball diamonds and a lined track. There are several wings and/or clusters of classrooms including 18 classrooms 12 re-locatable classrooms. Other ancillary structures include There are several wings and/or clusters of classrooms including 18 classrooms 12 re-locatable classrooms. Other ancillary structures include a Speech room, psychologist room, teacher collaboration room, Multi-Purpose Room, Library (included), Healthy Start/Building a Generation and Office/Administration building. During the school day, staff members and administrators shall provide campus supervision.

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During the school day, staff members and administrators shall provide campus supervision. Identified problem areas receive increased supervision to reduce discipline, crime, or other school safety concerns.

It shall be the practice of Victoria Elementary School to remove all graffiti from school property before pupils arrive to begin their school day. Other acts of vandalism are promptly addressed.

Maintenance of School Buildings/Classrooms

The school's physical facility is well maintained and generally looks neat and clean. The school was most recently painted and renovated during the 2020 year. District personnel periodically examine the school's physical facility and help eliminate obstacles to school safety. Additionally, health and fire department inspectors contribute to school safety.

Repair and upgrading are done through regular work orders to continue the proper maintenance of the school.

Internal Security Procedures

Victoria Elementary School has established procedures in the following areas: California Safe School Assessment (CSSA) reporting procedures, suspension and expulsion procedures, inventory system, and visitor check in/check out system via the RAPTOR program. Visitors are required to produce identification processed through the Megan's Law information system via RAPTOR, Visitors are required to wear a sticker upon entrance of the office and campus. Volunteers are required to go through Megan's Law, TB test, fingerprinting, and Board approval. The entire campus is fenced/gated. Discipline and Procedures have been created and implemented. Positive rewards and consequences for behaviors are distributed. District-wide lockdown procedures and updated School Safety Plan as well as meetings of the Safety Committee revise the plan and discuss ongoing safety concerns on campus.

Victoria Elementary School crime statistics reflect a total of 0 crimes reported during the 2023-2024 school year.

Keeping reportable crimes at a minimum requires constant vigilance. The following strategies will be utilized in achieving this goal Maintenance of surveillance video cameras, Volunteer/Parent/Community member check in through RAPTOR in the office, communication with the Sheriff's department, locking of gates and classrooms during the day, the WeTip hotline as well as SEE SOMETHING SENSE SOMETHING, SAY SOMETHING - 1-800-827-8724 (the CPS 24 hour hotline), continuation of lock down drills, fire and earthquake drills are some strategies utilized.

Victoria Elementary School maintains a copy of the district's sexual harassment policy in the office and throughout all classroom. The District's Sexual Harassment Policy contains dissemination plans, applicable definitions, reporting requirements, investigation procedures, enforcement regulations, and information related to suspension and/or expulsion for sexual harassment of or by pupils. Additionally, a notice summarizing this sexual harassment policy appears in the Parent & Student Handbook, The parent student handbook is distributed at the beginning of each school year to all parents and pupils.

To ensure the safety of pupils and staff, all visitors to the campus, except pupils of the school and staff members, shall register immediately upon entering any school building or grounds when school is in session. District employees, not assigned to Victoria Elementary School shall wear appropriate identification badges while on campus conducting business.

Discipline procedures shall focus on finding the cause of problems and working with all concerned to reach the proper, lawful solutions. The school's discipline plan begins at the classroom level. Teachers shall use a visible classroom management plan to communicate classroom rules, promote positive pupil conduct, and reduce unacceptable conduct. Appropriate consequences are administered based on the seriousness of the pupil's misbehavior.

Pupil conduct standards and consequences for Victoria Elementary School are specifically described in this Comprehensive Schools Safety Plan including: (a) the adopted school discipline rules and procedures, (b) District Disciplinary Guidelines, and (c) the adopted school-wide dress code.

Pupils may be suspended, transferred to another school, or recommended for expulsion or for certain acts. For specific student violations, a mandatory expulsion recommendation shall be submitted by the administration of Victoria Elementary School.

Site administrators contribute to a positive school climate, promote positive pupil behavior, and help reduce inappropriate conduct. The principal/designee uses available district and other appropriate records to inform teachers of each pupil identified under E.C. 49079.

Law enforcement is contacted and consulted to help maintain and to promote a safe and orderly school environment. Victoria Elementary School employees comply with all legal mandates, regulations, and reporting requirements for all instances of suspected child abuse.

If appropriate, additional internal security procedures affecting the integrity of the school facility include: Counseling for students, IST process, IEP process, 504's, Behavior support plans, Communication with parents/guardians, Documenting in Aeries.Net, Support from CVHS and Beattie Middle School Security Teams.

Community involvement is encouraged to help increase school safety.

Volunteers on campus, WeTip communication through District and school website, email, phone and school newsletter, ASES Program/YMCA on campus after school, neighborhood watch, after school organized and district approved sports clubs on campus until dusk, RAPTOR system, CFS hotline (1-800-827-8724)

Inventory System - Engraved ID, Security Storage

Most school-site equipment has a metal ID tag or a bar code sticker adhered to its surface. These items are inventoried annually and there is an established accountability system. Office and classroom supplies are secured.

Element:

Goal 1:

Provide a safe and welcoming environment.

Opportunity for Improvement:

I. Areas of Pride and Desired Improvements

a. Pride

1. Keeping our schools clean.
2. The many murals on campus to provide a culture of Art, Tiger/Peacebuilder Pride and AVID.

b. Areas of Desired Improvement

1. Ensure a clean and safe physical environment
2. Family Engagement Areas

Objectives	Action Steps	Resources	Lead Person	Evaluation
II. Desired Change #1 Ensure clean and safe physical environment	a. Related Strategies and Activities 1. Daily check of all common areas to identify areas of need 2. Creation of a Green Team	b. Resources Required 1. Custodians and Campus Monitors e. Budget 1. General Funds	c. Personnel Assignments 1. Administration 2. Custodians, Campus Monitors	f. Evaluation criteria 1. Daily walks to inspect areas 2. Green Team implementation to meet the needs of our school d. Timeframe for completion 2024-2025 1. Daily 2. Recesses and lunches throughout the year
III. Desired Change #2 Family Engagement Areas	a. Related Strategies and Activities 1. Create a Community Board 2. Create a Community Engagement room	b. Resources Required 1. A durable space for items to be displayed 2. A dedicated room that is welcoming for visiting families e. Budget 1. \$2000 LCAP	c. Personnel Assignments 1. Administration 2. Administration and custodians	f. Evaluation criteria 1. Before and After photos 2. Board kept up to date d. Timeframe for completion 1. 2024-2025 School year

Component:

School Climate

The School's Social Environment

Leadership at Victoria Elementary School is a shared process. A proactive role is assumed in all phases of the school operation. The current management team is committed to developing Victoria Elementary School toward excellence in the areas of academic and social behavior.

The principal sets a positive tone for the school, guides the staff and works closely with them on curriculum and school safety issues. The school site's organizational structure is open and flexible contributing to sensitivity concerning school safety issues and promoting a safe, orderly school environment conducive to learning.

Disaster Procedures, Routine and Emergency

A contingency plan for emergencies is contained in a handbook available to each staff member. The District's Emergency Response Plan - (ERP Plan) is listed at the last section of this plan. The plan is reviewed at the beginning of each school year. This plan also contains available district and outside agency resources, emergency disaster procedures and information on Standardized Emergency Management System (SEMS).

Classroom Organization and Structure

Victoria Elementary School teachers provide a varied learning environment in their classrooms. Teachers use a variety of teaching strategies including: adopted district curriculum, explicit direct instruction, guided instruction, student groupings, small group instruction, Google classroom, flexible seating, EL and AVID strategies, field trips, reading and math intervention groups, STEM, and frequent use of technology.

The teachers at Victoria Elementary School are highly qualified, with many teachers holding advanced degrees. The staff is united in their desire to provide quality education for all pupils. Classrooms and teachers provide safe, orderly learning environments, enhance the experience of learning, and promote positive interactions amongst pupils and staff. Instructional time is maximized and disruptions are minimized.

The School's Cultural Environment

There is a high level of cohesiveness among the staff members at Victoria Elementary School. Cooperation and support between teachers and the administration is evident. Efforts are made by the administration and staff to show concern for all pupils.

All pupils are expected to behave in a manner that promotes safety and order. Pupils are encouraged to bring problems to the principal, assistant principal, counselor, teacher or other staff members. The everyday goal is for the staff to be proactive rather than reactive in all situations of concern.

The academic and behavior efforts of pupils are recognized and rewarded.

Cultural diversity is celebrated throughout the year through cultural celebrations, cultural readings, Black History Month, class performances, classroom lessons, community involvement, Parent and Family Nights, ELAC meetings, projects, and activities in our ELO (extended learning opportunity program such as: ballet folklorico), Title 1 Parent Night, and assemblies.

Element:

Goal 2:

Improve schoolwide supervision

Opportunity for Improvement:

I. Areas of Pride and Desired Improvements

a. Pride

1. Supervision in hallways
2. Supervision near bathrooms

b. Areas of Desired Improvement

1. Increase supervision by student monitoring in strategic locations
2. Increase student and adult visibility on campus

Objectives	Action Steps	Resources	Lead Person	Evaluation
II. Desired Change #1 Identify areas where increased supervision is needed	a. Related Strategies and Activities 1. Use Swiss data to identify areas and time where increased supervision is needed. 2. Work with the PBIS and share important data 3. Strategically place campus monitors by zones based on identified needs	b. Resources Required 1. Funding from general budget: Campus monitors, SEL para, general ed para 2. ELO campus monitors hours, ELO SEL para hours, ELO general ed para hours e. Budget 1. General funds	c. Personnel Assignments 1. Administration, Counselors, PBIS Team 2. Campus monitors, SEL para, general ed para, admin and teachers	f. Evaluation criteria 1. Numbers of infractions in identified areas d. Timeframe for completion 1. daily supervision schedule 2. increased supervision during 2024-2025
III. Desired Change #2 Hall pass policy checked when students are out of classrooms during instruction time	a. Related Strategies and Activities 1. Hall pass policy 2. Frequent restroom checks	b. Resources Required 1. Additional supervision near bathrooms and during transition times 2. Additional supervision near bathrooms and during transition times including after-school programs e. Budget 1. LCAP	c. Personnel Assignments 1. Campus monitors, SEL para, general ed para, admin and teachers 2. ELO Campus monitors additional hours, ELO SEL para additional hours, general ed para additional hours	d. Timeframe for completion 1. Ongoing 2024-2025 school year f. Evaluation criteria 1. Elimination of students without proper hall way passes when outside of classrooms.

(I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5)

Victoria Elementary School Student Conduct Code

Procedures to Ensure a Safe and Orderly Environment

Rules and Procedures on School Discipline

Philosophy of Discipline

- Behavior expectations and the consequences for not meeting expectations must be clearly communicated to all students and their parents (in writing as well as verbally).
- The severity of consequences for violating behavior expectations increases with each incident of inappropriate behavior.
- The consequences for violating behavior expectations should be severe enough to discourage students from making poor behavior decisions.
- Expectations and consequences should permit students an opportunity to eliminate inappropriate behavior.

Additionally, the school staff recognizes that the middle school years are a transition time from adolescence to young adulthood. As a part of this transition, the student is given greater opportunities to be responsible and demonstrate independence and good judgment. The structure of our behavior expectations (in the classroom as well as school wide) is meant to encourage students to be responsible. The first step in many instances of inappropriate behavior (those considered to be "minor") is a simple warning ("Your behavior is unacceptable. Please stop such behavior"). It is only when a student ignores such warnings and continues to choose to act irresponsibly (like a child rather than an emerging adult) that we involve parents and implement consequences.

Elements of a Good Discipline Program

1. The program is focused upon making the entire campus, especially the classroom, a safe, supportive and orderly environment for learning for students and staff.
2. Classroom authority is retained by the classroom teacher. (Administration's role is to support, not to replace.)
3. Rules and procedures are clearly understood by staff and students.
4. All staff members will acknowledge and take appropriate action on any minor or major infraction of the school rules.
5. Rules and procedures comply with State Law and District policies.
6. The program recognizes the responsibilities and the rights of students and staff.
7. Program is structured to keep students in class and engaged in the educational process.
8. Rules are enforced:
 - A. by all staff members at all times.
 - B. strictly, but not rigidly (beware of "automatics").
 - C. in substantial part by adult modeling.
 - D. using techniques that promote the growth of positive self-esteem.
 - E. as close to the source as is possible.
 - F. by keeping parents informed.
9. The discipline program is understood, endorsed, and supported by staff, parents, and students.

Victoria Tigers are expected to be Safe, Respectful and Responsible as outlined in our Tiger Expectations.

PRINCIPAL'S STATEMENT TO STAFF

Expectations in Developing & Maintaining Discipline

As Principal of our school, I will expect;

Each teacher to have a defined system of classroom management. A written description of this system, including representative examples of the progressive interventions you intend to employ, will be approved and filed by me. Whenever possible and appropriate, teachers are encouraged to use standards and systems that are consistent with other village/department members.

You can expect

Each administrator to assist and support you in every reasonable way in developing, implementing, and refining that system as needed.

I will expect

That when you refer a student for discipline:

1. The student has been made fully aware of classroom and school rules and knows what rules he/she has violated.
2. Teachers within a village will discuss any continuing behavior problems and schedule a team conference with the student and parents when appropriate.
3. That information will be provided on the referral regarding previous actions you have taken regarding this specific issue.
4. You have exhausted the interventions at your disposal (i.e., you have done everything you can do) and you have followed the guidelines established by the administration and staff on what constitutes an appropriate behavior referral.
5. The behavior was so serious or so blatant as to make immediate removal from the classroom necessary.
6. The written referral will be explicit in stating the offense(s).
7. You will send the student out of class with a referral only if his/her continued presence in the class would disrupt or prevent teaching and/or learning.
8. If necessary, the referral will be delivered to the office at a time convenient to the staff member so that the issue may be handled most efficiently, causing a minimum of lost class time.

You can expect

1. Each administrator to support your position in every reasonable way.
2. A response time on your referral of one, or at most, two days.
3. The availability of an administrator to discuss unresolved referrals after school on any given day.
4. That the administrator will exercise independent judgment regarding disposition of referrals.

I will expect

1. That each teacher will go to the doorway of his/her classroom after each class period as often as possible and assume control of student behavior in the corridor.
2. That each staff member will hold students accountable for their behavior on the school grounds at all times.

You can expect

1. Administrator support, investigation, and follow-through as indicated.
2. A response to referrals from incidents outside the classroom to be the same as to those within.

B. Estella Patel
Principal

WHAT TO DO WHEN PROBLEMS APPEAR

Both behavioral and academic problems are present in some of our students. Teachers often ask for guidelines for dealing with these problems. Here they are:

1. Talk to the administrator assigned to your grade level.
2. Call parents at first sign of concern. Inform the parents of your observations, ask for their ideas, assistance, and support in serving the student. Keep a log of your calls.
3. If possible, talk privately to the student about your concerns.
4. Behavior concerns—look through students' CUM file. Any official suspensions will be in file, also look for teacher comments on report cards. Look for patterns of behavior. We use In-House Suspension whenever possible, as it is preferable to having students at home unattended—and it saves the district money. Serious infractions (fighting, threats, etc.) do result in official suspension. Unresponsive students can be moved to other schools or expelled.
5. Referrals—please remember if you write a student referral, you are required to call the parents. You are writing the referral and can answer the parents' questions firsthand. Administrators will also call parents, but we can only give secondhand information on the incident.
6. Academic Concerns—again, look through student CUM. This will contain test scores, report cards, and a student history. You may want to ask the grade level administrator to schedule a Student Study Team (SST). This will involve a meeting with the student, parents, administrators, students' teachers, and perhaps the psychologist

Conduct Code Procedures

Victoria Elementary School uses positive Tiger slips on a daily basis to encourage positive behavior on campus. As needed Minor Citations are given by teachers and staff with appropriate consequences. Major Office Referrals are given when an office referral is required that requires consequences administered by administration.

(K) Hate Crime Reporting Procedures and Policies

(K) Hate Crime Reporting Procedures and Policies

PENAL CODE - PEN

PART 1. OF CRIMES AND PUNISHMENTS [25 - 680.4] (Part 1 enacted 1872.)

TITLE 11.6. CIVIL RIGHTS [422.55 - 422.94] (Title 11.6 added by Stats. 1987, Ch. 1277, Sec. 4.)

CHAPTER 1. Definitions [422.55 - 422.57] (Chapter 1 added by Stats. 2004, Ch. 700, Sec. 6.)

422.55.

For purposes of this title, and for purposes of all other state law unless an explicit provision of law or the context clearly requires a different meaning, the following shall apply:

(a) "Hate crime" means a criminal act committed, in whole or in part, because of one or more of the following actual or perceived characteristics of the victim:

(1) Disability.

- (2) Gender.
- (3) Nationality.
- (4) Race or ethnicity.
- (5) Religion.
- (6) Sexual orientation.
- (7) Association with a person or group with one or more of these actual or perceived characteristics.

(b) "Hate crime" includes, but is not limited to, a violation of Section 422.6.

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(Added by Stats. 2004, Ch. 700, Sec. 6. Effective January 1, 2005.)

EDUCATION CODE - EDC

TITLE 2. ELEMENTARY AND SECONDARY EDUCATION [33000 - 65001] (Title 2 enacted by Stats. 1976, Ch. 1010.)

DIVISION 4. INSTRUCTION AND SERVICES [46000 - 65001] (Division 4 enacted by Stats. 1976, Ch. 1010.)

PART 27. PUPILS [48000 - 49703] (Part 27 enacted by Stats. 1976, Ch. 1010.)

CHAPTER 6. Pupil Rights and Responsibilities [48900 - 49055] (Chapter 6 enacted by Stats. 1976, Ch. 1010.)

ARTICLE 1. Suspension or Expulsion [48900 - 48927] (Article 1 repealed and added by Stats. 1983, Ch. 498, Sec. 91.)
48900.3.

In addition to the reasons set forth in Sections 48900 and 48900.2, a pupil in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has caused, attempted to cause, threatened to cause, or participated in an act of, hate violence, as defined in subdivision (e) of Section 233.

(Amended by Stats. 1999, Ch. 646, Sec. 25. Effective January 1, 2000.)

(J) Procedures to Prepare for Active Shooters

3 LEVELS OF STUDENT SAFETY IN A CRISIS

Safe & Secure Mode is a security procedure used to reduce student and staff movement outside school buildings. This may be due to medical emergency, area disturbance, etc. It is designed to allow for school to carry forward but have the ability to move to Lockdown quickly if needed. During the Safe & Secure mode, there is heightened vigilance on campus by all school staff. Generally, recesses and outdoor activities are reduced. Parents/guardians can have access to their student(s) and may check them out of school if they see fit to do so.

Teachers should continue teaching as normal

Allow students restroom use with clear administrator/ teacher direction

Increased available staff presence during passing periods and student dismissal

Lunch/activities in more secure area, unless site admin decides otherwise

Standard inclement weather schedule/routine in place, unless site administrator/designee decides otherwise

Perimeter gates, where applicable, will be locked and monitored by available staff, allowing for central access points

PE classes will be moved off all fields into more secure locations (e.g., gym, class, & MPR)

Lock Down is called when a law enforcement event is happening in the vicinity of a school. The law enforcement agency generally, but not always, contacts the school/district to encourage the school site to Lock Down as a precautionary measure. All

Administrators are expected to place their school in Lock Down in this scenario.

Take a look outside your classroom and gather up any stray students in the hallways

Ensure that your door is locked

If windows are open, close them

Project a calm demeanor to help students remain calm. Reassure students that they are safe

Do not allow anyone to leave the classroom

Frequently check your emails for possible updates from your site administrators

If students are out on the playground or athletic fields, quickly move them to a secure classroom, locker room, or multi-purpose room

Critical Alert is called when a significant, threatening event is happening on campus or adjacent to campus that creates a potential danger to students and staff. While this may be communicated to the school by law enforcement, it may also be determined by school officials on the scene. Critical Alert assumes that everyone is prepared for a potential significant threat/event on campus.

Implement all items from Lock Down list above

Turn off or reduce lighting, so it will appear that the room is vacant

Keep all students sitting on the floor, away from the door or windows

Do not look out the windows

Cover window on the door (if one exists)

Advise the students that there is a serious situation, but you don't know what it is. Project a calm demeanor to help students remain calm. Reassure students that they are safe

Ensure that everyone in the room turns the ringer off on their cell phones

Do not allow students to talk on their cell phones (keep room as quiet as possible)

Do not call the office. They are in the midst of a problem and will not be able to answer all the calls which may tie up the phone system

Quietly take roll and make a list of missing students and any extra students that are in your room. Email this list to your administrators and school site secretaries

Do not evacuate students until you are told to, even if the fire bells go off. If, in fact, there is a need for a fire evacuation, you will be notified via the PA system, email, or phone call

Do not open the door, even if someone knocks and claims to be a staff member (Administrator/custodian will have a master key)

If students are out on the PE field, do not return them to the locker room. Move them to a safe place (the farthest part of the campus)

Procedures for Preventing Acts of Bullying and Cyber-bullying

RUSD Board Regulation 5144.1(17)

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))

Safety Plan Review, Evaluation and Amendment Procedures

A Safety Committee is created each school year. The purpose of the committee is to review the Safety Plan and procedures on a continual basis. The committee meets a minimum of three times per year and is made up of school staff and parent/community members. The Safety Committee recommendations are brought to the attention of the staff and presented to School Site Council for approval.

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)
Administration reviews and updates prior year's plan, including suggestions from community partners gathered from surveys and data review	August/September annually	
School Site Council meets to amend and approve all components of the year's Safety Plan	End of September annually	
Plan is reviewed by staff and SSC for possible amendments based on the year's events	March/April annually	
Safety Team Meetings with community partners for input	September, March annually	

Emergency Response Guidelines

Step One: Identify the Type of Emergency

Determining the type of emergency will assist the commander/administrator in making the appropriate decisions to keep the campus safe. The response to a fire is drastically different than responding to an active shooter. The type of emergency may lead to evacuation, shelter-in-place, or lockdown as well as which agency to contact.

Step Two: Identify the Level of Emergency

Determining the size and immediacy of the emergency will determine the level. The site leader will determine if it is a classroom only, building only, area only (i.e. playground), whole school, neighborhood, or city-wide emergency.

Step Three: Determine the Immediate Response Action

With safety of students, staff and visitors at the forefront, site administrators/commander will determine immediate response based on site protocols. Please reference sections about specific emergencies.

Step Four: Communicate the Appropriate Response Action

Administrators/Commander will communicate to the necessary emergency responders via phone. Administrators/Commander will utilize a variety of communication tools to notify staff and emergency participants such as: Bell system, phone intercom system, emails. In addition, the Administrator/Commander will communicate with the District Office via emergency radio. Lastly, a community communication plan will be created to notify families of incident, pick-up procedures, or next steps through one or several methods: Parent Square, postings on website and all social media accounts.

Types of Emergencies & Specific Procedures

Earthquake

Earthquake A. INSIDE SCHOOL BUILDING: 1. The teacher, or staff member in authority, will implement action, DUCK COVER AND HOLD. Stay inside building until the shaking stops. 2. Try to avoid glass and falling objects, areas where there are large panels of glass and/or heavy suspended light fixtures. 3. Do not use telephones. 4. Implement action, "LEAVE BUILDING", when instructed to do so, after the earthquake is over and tremors have subsided. Special consideration should be given to exit routes as some exits have heavy roof structures over the doorways. Go to an open area away from trees, power poles, etc. 5. Avoid touching electrical wires and metal objects such as chain link fences. 6. Render first aid if necessary. 7. Take roll and report missing students to principal. 8. The principal/designee is to establish a command post, assess damage, activate search team and activate the incident command system. 9. Activate a buddy system; determine needs of neighboring schools. 10. Principal to request assistance through school district radio. 11. Notify the District Emergency Operations Center of any breaks in utility lines. 12. The superintendent/designee will determine the advisability of closing the school, based on the report of the principal. B. IF OUTSIDE: 1. Move away from buildings, playground equipment, utility poles, signs, trees, metal fences, exposed wires and wet areas. 2. The safest place is in the open. Stay there until the earthquake is over. 3. Follow procedures 5 through 12 under "Inside School Building." C. WALKING TO AND FROM SCHOOL: 1. The safest place is in the open. Stay there. 2. Move away from buildings, utility poles, signs, trees, metal fences and exposed wires. 3. DO NOT RUN! Do "DROP -TAKE COVER." 4. After an earthquake, if on your way TO school, continue to school. 5. After an earthquake, if on your way FROM school, continue home. D. ON SCHOOL BUS: 1. If possible, the bus driver will pull to the side of the road away from any buildings, poles, and large trees issue command "DROP — TAKE COVER." 2. Turn off ignition and set brakes. 3. Wait until the earthquake is over. 4. If possible, contact dispatch office by district radio for instructions. E. HANDICAPPED STUDENTS: 1. Students with handicap conditions may need special assistance and instruction regarding falling debris. Additional drills may be needed to make certain the procedures are mastered. 2. Each handicapped student's needs should be assessed in

relation to the possibility of a disaster and his/her preparedness.

Fire in Surrounding Area

Fire in Surrounding Area INITIAL RESPONSE: 1. If necessary, sound the school alarm and evacuate building. 2. Notify the fire department by dialing 911. 3. Assemble at the pre-designated areas at safe distance from the fire/fire-fighting equipment. 4. Assist disabled persons during the evacuation. 5. Render first aid as necessary. 6. Check all bathrooms and training rooms for staff and students. 7. If it is possible for adults to fight small fires (no bigger than a desk) without endangering life and/or causing injury, do so. 8. Close, but do not lock all doors leading to the fire area to isolate the area and prevent the spread of the fire. 9. Keep access roads open for emergency vehicles. 10. Teachers should take roll and report missing students to the office. No one should leave the area until instructed to do so. 11. Notify the Superintendent. 12. The principal will recommend to the Superintendent whether further action such as the EVACUATION OF SCHOOL should be implemented. 13. Notify utility companies of a break or suspected break in their lines. 14. After a serious fire, fire department officials and maintenance personnel should determine whether the building is safe before student and staff return.

Fire on School Grounds

Fire on School Grounds INITIAL RESPONSE: 1. Sound the school alarm and evacuate building. 2. Notify the fire department by dialing 911. 3. Assemble at the pre-designated areas at safe distance from the fire/fire-fighting equipment. 4. Assist disabled during the evacuation. 5. Render first aid as necessary. 6. Check all bathrooms and training rooms for staff and students. 7. If it is possible for adults to fight small fires (no bigger than a desk) without endangering life and/or causing injury, do so. 8. Close, but do not lock all doors leading to the fire area to isolate the area and prevent the spread of the fire. 9. Keep access roads open for emergency vehicles. 10. Teachers should take roll and report missing students to the office. No one should leave the area until instructed to do so. 11. Notify the Superintendent. 12. The principal will recommend to the superintendent whether further action such as the EVACUATION OF SCHOOL should be implemented. 13. Notify utility companies of a break or suspected break in their lines. 14. After a serious fire, fire department officials and maintenance personnel should determine whether the building is safe before student and staff return.

Pandemic

Blood Borne Pathogen Incident Reporting Form and Exposure Control Plan

Policy 5141.22: Infectious Diseases

The Governing Board desires to protect students from risks posed by exposure to infectious diseases while providing an appropriate education for all students.

The Superintendent or designee shall determine whether to admit a student with an infectious disease, and shall exclude students only in accordance with law. In making this determination, he/she shall consult the student's parents/guardians, the student's physician and/or the county health department, in accordance with law and consistent with confidentiality provisions. Because bloodborne pathogens such as hepatitis B virus, hepatitis C virus and human immunodeficiency virus (HIV) are not casually transmitted, the sole presence of bloodborne pathogens is not sufficient reason to exclude students from attending school.

cf. 5112.2 - Exclusions from Attendance)
(cf. 5141.26 - Tuberculosis Testing)
(cf. 5141.3 - Health Examinations)
(cf. 6158 - Independent Study)
(cf. 6159 -Individualized Education Program)
(cf. 6183 - Home/Hospital Instruction)

Parents/guardians are encouraged to inform the Superintendent or designee if their child has an infectious disease so that school staff may work cooperatively with the student's parents/guardians to minimize the child's exposure to other diseases in the school setting. The Superintendent or designee shall ensure that student confidentiality rights are strictly observed in accordance with law. No district employee shall release medical information, including knowledge of a bloodborne pathogen infection, without written consent from the parent/guardian or adult student. Such information shall be shared only with those persons specifically named in the written permission.

(cf. 5125 - Student Records)

(cf. 5022 -Student and Family Privacy Rights)

The Board requires students and staff to routinely observe universal precautions to prevent exposure to bloodborne pathogens and to prevent the spread of all infectious disease.

cf. 4119.42/4219.42/4319.42 -Exposure Control Plan for Bloodborne Pathogens)

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)

(cf. 5141.23 - Infectious Disease Prevention)

The Superintendent or designee shall ensure that the district's health education program provides information about the nature of bloodborne pathogens and their transmission.

(cf. 5141.6 - Student Health and Social Services)

(cf. 6142.2 - Sexual Health and HIV/AIDS Prevention Instruction)

(cf. 6142.8 - Comprehensive Health Education)

Blood Borne Pathogens - Safety Practices

Procedures and Regulations

1. General

1.1 While recognizing that both students and employees diagnosed with an infectious blood borne disease are entitled to a confidential relationship between themselves, the medical community and/or other agencies, the Board of School Trustees encourages these individuals to meet with the School Principal and/or Superintendent of Schools to discuss their disease and immediate and future needs.

1.2 Assessment

2. Students:

2.1. The Superintendent (or designate) will be informed, by the school principal as soon as is known, of any student infected with an infectious blood borne disease.

2.2. A Risk Assessment will be conducted using a team approach including the personal physician, public health personnel, the parent or guardian, and school district personnel as appropriate and will make recommendations about the type of educational and care setting based on the following:

- a. Behavior, neurological development and physical condition of the child;
- b. Type of interaction expected with others.
- c. What the potential is for exposure
- d. Areas for potential for exposure
- e. How exposure may happen
- f. Who needs to know?
- g. What will happen if there is a risk of exposure?

2.3. The team will consider the risk to others in the workplace, whether or not the individual is healthy enough to continue to attend school, and what precautions should be taken to ensure the safety and health of others.

a. The identity of infected students will remain confidential and restricted to those who need to know or are required to be informed.

2.4. Decisions on attendance at school are dependent on the circumstances of each individual case. Regular evaluation of the appropriateness of attendance will be conducted.

2.5. The Board will be notified immediately when the team considers the health condition of a student to be a danger to the immediate health and welfare of a school, its students or employees of the Board.

a. Upon being notified of the team's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

3. Employees

3.1. The Superintendent will be informed, by district staff as soon as is known, of any employee infected with an infectious blood borne disease.

3.2. Employees with an infectious blood borne disease, who are able to carry out the essential duties of their jobs in a satisfactory manner without posing a health or safety risk to themselves or others, will be entitled to continue their work.

3.3. Decisions regarding potential health or safety hazards will be made on a case-by-case basis in consultation with the employee, the personal physician and district personnel as appropriate.

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4. Hygienic Safety Practices

4.1. All employees will follow "Universal Infection Control Precautions" by assuming that blood and other body fluids from all individuals are potentially infectious. These precautions include:

- a. Routinely using gloves when anticipating contact with blood
- b. Immediately washing hands and other skin surfaces after removal of gloves and/or contact with blood

4.2. Schools will be provided with appropriate protective equipment including disposable waterproof gloves (natural rubber latex, neoprene, nitrile, or vinyl), tongs or pliers and proper sharps containers.

4.3. Schools' medical room mattresses will be either vinyl-coated beds or cloth mattress with a protective vinyl (plastic) covering so that they can be cleaned as needed with a bleach solution.

4.4. Blankets can be cleaned as needed by forwarding them, in a clearly labeled plastic bag, to the Assistant Supervisor Operations at the Facilities Office.

5. Universal Precautions

5.1. Universal Precautions to prevent transmission of blood-borne disease will be followed. Universal Precautions is the term for infection control measures endorsed by the Canadian Centre for Occupational Health and Safety for workers who might come into contact with blood and other body fluids. In summary they include:

- a. Wash hands for 30 seconds after contact with blood and other body fluids contaminated with blood.

- b. Wear disposable latex gloves when you encounter blood, body fluids, or when cleaning cuts, scrapes or wounds. Wash your hands as soon as you remove your gloves. Dispose gloves in a plastic bag.
- c. Use disposable absorbent material like paper towels to stop bleeding.
- d. Discard bloodstained material in a sealed plastic bag and deposit in the garbage. Label as containing blood-tainted material.
- e. Cover cuts or scrapes with a bandage until healed.
- f. Immediately protect staff and students from coming in contact with blood-soiled surfaces. The area must be disinfected with a fresh solution of one part bleach and nine-parts water (10% bleach solution).

Mops or brushes used for cleaning should be soaked in a bleach solution for 20 minutes.

(Note: The custodial department will provide each school with the product for dissolving in water to provide the bleach solution.)

6. Identification of Risks of Occupational Exposure

6.1. In accordance with the Occupational Health and Safety Regulations (section 6.35), the district's Health & Safety Coordinator will develop and maintain a list of positions and/or tasks and procedures where there is a potential for occupational exposure to a blood borne pathogen.

6.2. Employees who have, or may have, occupational exposure to the hepatitis B virus, will upon request, receive a hepatitis B vaccination (section 6.39, OH&S Regs).

6.3. Employees who may have been exposed to a blood borne pathogen in an exposure incident will be advised to immediately seek medical attention

Blood Borne Pathogen Incident Reporting Form and Exposure Control Plan

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6. Identification of Risks of Occupational Exposure






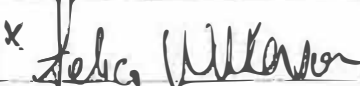
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Comprehensive School Safety Plan

**2024-2025
School Year**

School: Beattie Middle School
CDS Code: 36-67843-0102558
District: Redlands Unified School District
Address: 7800 Orange Street
 Highland, CA 92346
Date of Adoption: November 14, 2023
Date of Update: August 1, 2024
Date of Review:
 - with Staff
 - with Law Enforcement
 - with Fire Authority

Approved by:

Rick Batres	Assistant Principal	 Clear	8/27/24
Shelbi Roque	Corporal	 Clear	8-27-24
Leanna Aldana	Student	 Clear	8-27-24
Danielle Rothenberger	Student	 Clear	8-27-24
Kyla Laudeman	Student	 Clear	8-27-24
Felicia Wilkerson Felica	Parent	Room  X Felica Wilkerson Clear	8-27-24

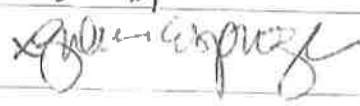

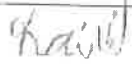

3 Xulma Espinoza	Parent	<div>Zoom</div> <div>  </div> <div>Clear</div>	8-27-24
Michelle Alexander	Community member SSC	<div>  </div> <div>Clear</div>	9/25/24
Kai Wilkerson	6th grade Rep SSC	<div>  </div> <div>Clear</div>	9/25/24
Laylani Lukhale	7th grade Rep SSC	<div>  </div> <div>Clear</div>	9/25/24
Emily Engle	TEACHER REP	<div>  </div>	9/25/24

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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 Beattie School Office.

Safety Plan Vision

Following our three overarching and guiding principles of "Be Respectful! Be Responsible! Be Safe!", we believe that Beattie Middle School will encompass and support the following:

- A school that pupils will attend regularly and in which they will be safe from both physical and social-psychological harm.
- A school that provides a safe, orderly, and secure environment conducive to learning, with an academic program that will focus on high expectations of pupil performance and behavior in all aspects of the school experience.
- A school that works cooperatively and collaboratively with parents, pupils, teachers, administrators, counselors and community agencies, including law enforcement, to provide a safe and orderly school and neighborhood.
- A school that works collaboratively with other elementary, middle schools and high schools to assist in a smooth transition from one school level to another.

- A school that solicits the participation, views, and advice of teachers, parents, school administrators, and community members and uses this information to promote the safety of our pupils, staff and community.
- A school that works collaboratively with the district office and school board to identify, establish, and use strategies and programs to comply with school safety laws.

Components of the Comprehensive School Safety Plan (EC 32281)

Beattie Middle School Safety Committee

Assessment of School Safety

During the 2023-2024 school year, Beattie Middle School had 47 suspensions, and had the lowest suspension numbers among the eight secondary schools in the district. Beattie's average attendance rate for the 2023-2024 school year was 93.77%, which was above the chronic attendance level. Having the lowest number of suspensions, as well as the high average attendance rate, helps to support the fact that Beattie Middle School is a campus where students feel, and conduct themselves, in a safe manner.

Strategies and Programs to Provide and Maintain a High Level of Safety (EC 32281(a)1, items A-J)

Introduction - School Profile

Beattie Middle School is one of twenty-eight schools in the Redlands Unified School District with traditions dating back to 2004. Beattie Middle School has a diverse pupil student body and is served by a dedicated staff. Both staff and parents comment on the positive changes that are ongoing in our school.

Beattie Middle School faces challenges in maintaining a safe school. This section of the Comprehensive School Safety Plan will describe programs in place at our school as well as strategies and programs of our school site council for continued improvement in providing a safe, orderly, school environment conducive to learning.

School Crime Status and Reporting

During the 2023-2024 school year, Beattie Middle School had 47 suspensions, and had the lowest suspension numbers among the eight secondary schools in the district. Beattie's average attendance rate for the 2023-2024 school year was 94.2%, which was also above the chronic attendance threshold of 90%. Having the lowest number of suspensions, as well as the high average attendance rate, helps to support the fact that Beattie Middle School is a campus where students feel, and conduct themselves, in a safe manner.

Personal Characteristics of Pupil & Staff

(Additional Health and Welfare Data available from ICOE aggregated DAT surveys)

Beattie Middle School has an enrollment of 1,108 pupils in grades 6-8. Pupils from this school come from families with low family mobility. Approximately 69.8% of the pupils are in families receiving Aid to Families with Dependent Children that are eligible for free/reduce lunches. The ethnic makeup of the pupil population is 55.2 % Hispanic, 5.6 % Black, 21.2% Caucasian and 12.5 % Asian/Pacific Islander/Filipino. Our pupils have a variety of life experiences. Some pupils have recently arrived from foreign countries while others have never left their neighborhood.

Curriculum and Educational Activities

The course of study includes the basic core curriculum, physical education and enrichment classes such as ASB/Leadership, WEB (Where Everyone Belongs), drama, yearbook, journalism/broadcasting, computers, various choirs and bands, teacher assistants, AVID, Paxton Petersen Skills Lab, and the Garner-Holt Lab/STEM lab, across all grades, 6-8.

Pupils have the opportunity to participate in noon and after-school activities. These include drama, intramural sports, Run Club, E-Sports Club, Leadership/ASB, WEB, Band (Beginning, Intermediate, Advanced, and Jazz), Choir (Beginning, Show, and Ensemble), Yearbook/Journalism/broadcasting, GSA Club, Cinema Club, and RSCL Sports (with a boys' and girls' team each for Volleyball, Softball, Soccer, Basketball), and a co-ed sixth grade team for volleyball, soccer, and basketball.

Staff provides opportunities and additional activities open to pupils in the areas of extended learning opportunities [ELOP], homework help support, intramural sports, RSCL Sports, PE, and social interaction/community support, as well as an increased focus on Social Emotional Learning support and Restorative Practices..

(A) Child Abuse Reporting Procedures (EC 35294.2 [a] [2]; PC 11166)

Policy 5141.4: Child Abuse Prevention and Reporting

The Governing Board recognizes that the district has a responsibility to facilitate the prompt reporting of incidents of child abuse and neglect. The Superintendent or designee shall ensure that parents/guardians have access to procedures whereby they can report suspected child abuse at a school site to appropriate child protective agencies

The Superintendent or designee shall develop and implement regulations for use by employees in identifying and reporting child abuse

District employees shall report known or suspected incidents of child abuse in accordance with district regulations and state law. Employees shall cooperate with the child protective agencies responsible for reporting, investigating and prosecuting cases of child abuse.

(cf. 4112.9 - Signed Statements/Child Abuse Reporting Statements)

The Superintendent or designee shall provide training in child abuse identification and reporting for all certificated and classified personnel. (Penal Code 11165.7)

All employees trained in child abuse identification and reporting shall be given, as a part of that training, written notice of the child abuse reporting requirements and the employees' confidentiality rights. (Penal Code 11165.7)

In order to reduce or eliminate unfounded child abuse accusations directed at school employees, child abuse in service training shall include guidance in disciplining students and maintaining ethical relationships with them.

(cf. 3514 - Safety)

(cf. 5142 - Safety)

Duty to Report

Certificated employees and classified employees trained in child abuse identification and reporting shall report known or suspected child abuse to a child protective agency by telephone immediately or as soon as practically possible and in writing within 36 hours. The reporting duties are individual and cannot be delegated to another individual except under circumstances set forth in Penal Code 11166.

Definitions

Child Abuse includes the following:

1. A physical injury inflicted by other than accidental means on a child by another person.
2. Willful cruelty or unjustifiable punishment of a child, or willfully inflicting unjustifiable physical pain or mental suffering, or failure to safeguard a child from these injuries when the child is under a person's care or custody
3. Sexual abuse of a child
4. Neglect of a child or abuse in out-of-home care
5. Unlawful corporal punishment or injury resulting in a traumatic condition

Mandated Reporters are those people defined by law as child care custodians, health practitioners, child visitation monitors and employees of a child protective agency. Mandated reporters include virtually all school employees. The following school personnel are required to report:

Teachers, administrators, supervisors of child welfare and attendance, certificated student personnel employees, employees of care institutions, Headstart teachers, school psychologists, licensed nurses, counselors, presenters of child abuse prevention programs and those instructional aides or other classified employees trained in child abuse reporting.

Child Protective Agencies are those law enforcement and child protective services responsible for investigating child abuse reports, including the local police or sheriff department, county welfare or juvenile probation department and child protective services.

Reasonable Suspicion means that it is objectively reasonable for a person to entertain such a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his/her training and experience, to suspect child abuse. (Penal Code 11166)

Reporting Procedures

To report known or suspects child abuse, any employee (as defined above) shall report by telephone to the local child protective agency immediately. (Child Protective Services 921 County Center, 3 Court, Modesto, CA phone # 525- 6641)

The following information shall be given:

1. The name of the person making the report
2. The name of the child
3. The present location of the child
4. The nature and extent of any injury

Any other information requested by the child protective agency, including the information that led the mandated reporter to suspect child abuse.

When the verbal 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.

Within 36 hours of making the telephone report, the mandated reporter shall complete and mail to the local child protective agency a written report which includes a completed Department of Justice form (DOJ SS 8572).

Mandated reports may obtain copies of the above form either from the district or local child protective agency.

Instructions are included on the form, and reporters may ask the site administrator for help in completing and mailing it; however, the mandated reporter is personally responsible for ensuring that the written report is correctly filed.

Employees reporting child abuse to a child protective agency are encouraged, but not required, to notify the site administrator or designee as soon as possible after the initial verbal report by telephone. When so notified, the site administrator shall inform the Superintendent or designee.

Administrators so notified shall provide the mandated reporter any assistance necessary to ensure that reporting procedures are carried out in accordance with law and district regulations. At the mandated reporter's request, the principal may assist in completing and filing the form.

If the mandated reporter does not disclose his/her identity to a district administrator, he/she shall at least provide or mail a copy of the written report to the site administrator and the district without his/her signature or name.

Legal Responsibility and Liability

Mandated reporters have absolute immunity. School employees required to report are not civilly or criminally liable for filing a required or authorized report of known or suspected child abuse.

A mandated reporter who fails to report an instance of child abuse, which he/she knows to exist or reasonably should know to exist, is guilty of a misdemeanor and is punishable by confinement in jail for a term not to exceed six months or by a fine of not more than \$1,000 or both. The mandated reporter may also be held civilly liable for damages for any injury to the child after a failure to report

When two or more persons who are required to report have joint knowledge of suspected instance of child abuse, and when they so agree, the telephone report may be made by either of them and a single report made and signed by that person.

However, if any person who knows or should know that the person designated failed to make the report, that person then has a duty to make the report.

The duty to report child abuse is an individual duty and no supervisor or administrator may impede or inhibit such reporting duties. Furthermore, no person making such a report shall be subject to any sanction.

Victim Interview

Upon request, a child protective agency representative may upon request interview a suspected victim of child abuse during school hours, on school premises, concerning a report of suspected child abuse that occurred within the child's home. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. (Penal Code 11174.3)

A staff member or volunteer aide selected by a child may decline to be present at the interview. If the selected person accepts, the principal or designee shall inform him/her, before the interview takes place, of the following legal requirements:

1. The purpose of the selected person's presence at the interview is to lend support to the child and enable him/her to be as comfortable as possible.
2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the child.
4. The selected person is subject to the confidentiality requirements of the Child Abuse and Reporting Act, a violation of which is punishable as specified by Penal Code 11167.5.
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 or Child Protective Services Agent

When a child is released to a peace officer or child protective agency and taken into custody as a victim of suspected child abuse, the Superintendent and/or principal shall not notify the parent/guardian as required in other instances of removal of a child from school, but rather shall provide the protective agency with the address and telephone number of the child's parent/guardian. It is the responsibility of the peace officer or agent to notify the parent/guardian of the situation. (Education Code 48906)

Peace officer and child protective services agents will be asked to sign an appropriate release or acceptance of responsibility form.

(cf. 5145.11 - Questioning and Apprehension)

When School Employees are Accused of Child Abuse

Regardless of who child abusers may be, the major responsibilities of mandated reports are to 1) identify incidents of suspected child abuse, and 2) comply with laws requiring the reporting of suspected abuse to proper authorities. Determining whether or not the suspected abuse actually occurred is not the responsibility of the school employee. Such determination and follow-up investigation will be made by a child protective agency.

Pending outcome of an investigation by a child protective agency and before formal charges are filed, the employee may be subject to reassignment or a paid leave of absence.

Upon filing formal charges or upon conviction, the district may take disciplinary action in accordance with law, district policies, regulations and/or collective bargaining agreements. The Superintendent or designee shall seek legal counsel in connection with either the suspension or dismissal of the employee.

(cf. 4117.4 - Dismissal)
(cf. 4118 - Suspension/Disciplinary Action (Certificated))
(cf. 4218 - Suspension/Disciplinary Action (Classified))

Suspected Child Abuse Reporting Procedures

I. Initiating the Report

A. The report is initiated by a telephone report to the appropriate agency.

B. If the suspected child abuse has taken place within the family, call the Enter appropriate Agency Hotline at phone number, 1 (800) 827-8724

C. If the suspected child abuse has taken place outside the family, call the local police department at:

Highland Sheriff Police Department
Phone: (909) 425-9793

D. Content of call.

- 1) Name, address and age of child involved.
- 2) Clear description of suspected abuse.

II. Written Report

A. The telephone call is to be followed by completion of the Suspected Child Abuse Report (form 11166.P.C.). These forms are available in the Principal's office at the high school or you may access the form on line at:
http://ag.ca.gov/childabuse/pdf/ss_8572.pdf for a form or immediately call (909) 384-9233 to file a report.

B. The written report is to be addressed to the person to whom the telephone report was made.

C. The written report must follow the phone call within 36 hours.

1. Suspected child abuse within the family,
Agency: Children and Family Services
Address: 150 S. Lena Road, San Bernardino, California 92415

2. Suspected child abuse outside the family should be mailed to the agency to which the report was called -

Adopted: 10/2005
Highland Sheriff Police Department
Phone: (909)425-9793

The reporting party should keep the yellow copy of the Suspected Child Abuse Report form (SS8572) or verification of completion of the reporting obligation.

Caution:

1. The reporting responsibility has not been discharged until both the telephone call and written reports are complete.
2. School personnel are not to engage in any investigation of suspected cases. The investigation will be done by the child protective services office.
3. The reporting responsibility is an individual one which is NOT discharged by report to supervisors or administrators.

(B) Disaster Procedures (EC 35295-35297; GC 8607 and 3100)

Disaster Plan (See Appendix C-F)

Each classroom, office, library and room on campus has a posting of the emergency procedures near the exit door. Emergency procedures are also posted in each classroom notebook which is reviewed at the beginning of the school year for updates. Fire Drills and Earthquake drills are practiced two times each during the school year, and Lock Down drills are practiced three times yearly.

Public Agency Use of School Buildings for Emergency Shelters

Beattie Middle School has been designated as a Red Cross Shelter. In the case of the school site being utilized as an Emergency Shelter, the multi-purpose room will be the shelter site.

(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines

Policy 5144.1: Suspension And Expulsion/Due Process

Suspension and Expulsion

The Governing Board recognizes that maintaining an environment which promotes learning and protects the health, safety, and welfare of all students may require the suspension or expulsion of a student from regular classroom instruction. District policies and school site rules shall clearly identify district behavior standards

(cf. 5144 - Discipline)

Except in cases where suspension for a first time offense is warranted in accordance with law, suspension shall be imposed only when other means of correction fail to bring about proper conduct. (Education Code 48900.5)

Expulsion is an action taken by the Board for severe or prolonged breaches of discipline by a student. Except for single acts of a grave nature, expulsion is usually used only when there is a history of misconduct, when other forms of discipline, including suspension, have failed to bring about proper conduct, or when the student's presence causes a continuing danger to other students. (Education Code 48915)

The grounds for suspension and expulsion and the procedures for considering, recommending and/or implementing suspension and expulsion shall be specified in Administrative Regulation.

Each principal shall annually inform all students and parents/guardians of the school's discipline rules and procedures and of the availability of all district policies and regulations dealing with student discipline, suspension and expulsion. (Education Code 35291, 35291.5)

(cf. 5145.6 - Parental Notifications)

Suspended or expelled students shall be excluded from all school-related extracurricular activities during the suspension or expulsion.

cf. 6145 - Extracurricular and Cocurricular Activities)

Zero Tolerance

The Board supports a zero tolerance approach to serious offenses in accordance with state and federal law. This approach makes the removal of potentially dangerous students from the classroom a top priority and ensures the standardized treatment of all students. Staff shall immediately report to the Superintendent/ designee any incidence of offenses specified in law, Board policy, and administrative regulation as cause for suspension or expulsion.

Student Due Process

The Board shall provide for the fair treatment of students facing suspension and expulsion by affording them their due process rights under the law. The administration and staff shall comply with procedures for notices and appeals as specified in regulation. Procedures governing student due process shall conform in all aspects to provisions in law. (Education Codes 48911, 48915 and 48915.5)

Whenever a student is suspended, school officials may (but are not required to) meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

cf. 5119 - Students Expelled from Other Districts

(cf. 5144.2 - Suspension and Expulsion/Due Process - Individuals with Exceptional Needs)

Rights of Complaining Witness

An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental or emotional needs of a student who is the complaining witness. (Education Code 48918.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Educational Code 48918.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies
3. Have a closed hearing during the time he/she testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48918.5)

On-Campus Suspension Program

The Board recognizes that students who are suspended from school frequently have no supervision or guidance during the school hours when they are off campus. The Board believes that in many cases, instead of sending the student off campus, it would be better to address the student's misconduct by keeping the student at school and providing him/her with supervision that is separated from the regular classroom.

The Superintendent or designee shall examine alternatives to off-campus suspension and may establish a suspension program which involves progressive discipline during the school day on campus; using conferences between staff, parents/guardians and students; detention; student study teams or other assessment-related teams; and/or referral to school support services staff.

Required Parental Attendance

The Board believes that parental involvement plays an important role in the resolution of classroom behavior problems. The Board expects that teachers will communicate with parents/guardians when behavior problems arise

Whenever a student is suspended from a class because he/she committed an obscene act, engaged in habitual profanity or vulgarity, disrupted school activities or otherwise willfully defied valid staff authority, the teacher of the class from which the student was suspended may require the student's parent/guardian to attend a portion of a school day in that class. After completing the classroom visit and before leaving school premises, the parent/guardian also shall meet with the principal or designee. (Education Code 48900.1)

The Board encourages teachers, before requiring parental attendance, to make reasonable efforts to have the parent/guardian visit the class voluntarily. The teacher also may consider informing the parent/guardian about available resources which may provide help in the development of parenting skills. Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the student and the parent/guardian and to improve classroom behavior.

Parental attendance may be required on the day the student returns to class or within one week thereafter. The principal or designee shall contact any parents/guardians who do not respond to the request to attend school. The Board recognizes that parental compliance with this policy may be delayed, modified or prevented by serious illness/injury/disability, absence from town, or inability to get certain release time from work.

The teacher shall apply this policy uniformly to all students within the classroom. This policy shall apply only to a parent/guardian who actually lives with the student. (Education Code 48900.1)

District regulations and school-site rules for student discipline shall include procedures for implementing parental attendance requirements.

Parents/guardians shall be notified of this policy before it is implemented and at the beginning of each subsequent school year. (Education Code 48900.1, 35291, 48980)

Decision Not to Enforce Expulsion Order

In cases where expulsion is mandatory pursuant to Education Code 48915(c), the enforcement of an expulsion order shall not be suspended by the Board. In all other cases of expulsion, the order for expulsion may be suspended by the Board, on a case-by-case basis, pursuant to the requirements of law.

Definitions

Suspension from school means removal of a student from on going 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, nor referral to a certificated employee designated by the principal to advise students, nor removal from the class without reassignment to another class or program for the remainder of the period, without sending the student to the principal or designee.

2. Removal from a particular class shall not occur more than once every five school days. (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)

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

School property, for the purposes described in Education Code 48900, includes, but is not limited to, electronic files and databases. (Education Code 48900(s))

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, suspension and expulsion. Transfer students and their parents/guardians shall be notified at the time of enrollment. (Education Code 35291.5, 48900.1, 48980)

(cf. 5144 -Discipline)

(cf. 5145.6 Parental Notifications)

Notification shall include information about the ongoing availability of individual school rules and all district policies and regulations pertaining to student discipline. (Education Code 35291)

(cf. 5145.6 -Parental Notifications)

Grounds for Suspension and Expulsion

Students may be suspended or recommended for expulsion when the Superintendent, principal, or principal's designee at the school in which the student is enrolled determines that the student has done any of the acts listed below:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense. (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However, a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code Board Policy Manual Redlands Unified School District 48900(s))

2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48900(b))

(cf. 5 131 - Conduct)

(cf. 5131. 7 - Weapons and Dangerous Instruments)

3. Unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of, any controlled substance as defined in the Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind. (Education Code 48900(c))

(cf. 5131.6 -Alcohol and Other Drugs)

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance or material and represented same as controlled substance, alcohol beverage or intoxicant. (Education Code 48900(d))

5. Committed or attempted to commit robbery or extortion. (Education Code 48900(e))

6. Caused or attempted to cause damage to school property or private property. (Education Code 48900(f))

7. Stole or attempted to steal school property or private property. (Education Code 48900(g))

8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products with prior approval of the principal or designee. (Education Code 48900(h))

9. Committed an obscene act or engaged in habitual profanity or vulgarity. (Education Code 48900(i))

10. Unlawfully possessed, or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code. (Education Code 48900(j))

11. Disrupted school activities or otherwise willfully defied 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))

12. Knowingly received stolen school property or private property. (Education Code 48900(1))
13. Possessed an imitation firearm, i.e., 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))
14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code 243.4. (Education Code 48900(n))
15. 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))
16. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug soma. (Education Code 48900(p))
17. Engaged in, or attempted to engage in, hazing as defined in Education Code 32050. (Education Code 48900(q))
18. Made terrorist threats against school officials and/or school property. (Education Code 48900.7)

A student in grades 4 through 12 is also subject to suspension or recommendation for expulsion when it is determined that he/she:

19. Committed sexual harassment as defined in Education Code 212.5. (Education Code 48900.2)
20. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 33032.5. (Education Code 48900.3)
21. 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 Glasswork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment (Education Code 48900.4)

(cf. 5145.3 -Nondiscrimination/Harassment)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent/principal or within any other school district, including but not limited to the following circumstances:

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.

The Superintendent/principal may use his/her discretion to provide alternatives to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program. (Education Code 48900(r))

cf. 5138 -Conflict Resolution/Peer Mediation)

Alternatives to suspension or expulsion will be used against students who are truant, tardy, or otherwise absent from assigned school activities.

(cf. 5113 -Absences and Excuses)

(cf. 5113.1 - Truancy)

Suspension from Class by a Teacher/Parental Attendance

A teacher may suspend any student from the teacher's class for any of the acts listed under "Grounds for Suspension and Expulsion" above for the day of the suspension and the day following. (Education Code 48910)

Suspension from class means the removal of a student from class by a teacher for the day of the suspension and the next day. A teacher may suspend a student from class and may also refer a student for consideration of suspension from school for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

When suspending a student from his/her class, the teacher shall immediately report this action to the principal and send the student to the principal for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been suspended.

As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the suspension. A counselor or psychologist should attend the conference if it is practicable, and a school administrator may attend if either the parent/guardian or teacher so request.

A suspended student shall not be returned to class during the period of suspension without the approval of the teacher of the class and the principal. (Education Code 48910)

A student suspended from class shall not be placed in another regular class during the period of suspension. However, if a student is assigned to more than one class per day, he/she may be placed in any 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 suspended student to complete any assignments and tests missed during the suspension. (Education Code 48913)

When a teacher requires a parent/guardian to attend school in accordance with Board Policy, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is required pursuant to law. (Education Code 48900.1)

1. This notice shall also tell the parent/guardian when his/her presence is expected and by what means he/she may arrange any necessary change.
2. The notice shall describe the protections afforded to the parent/guardian as an employee by Labor Code 230.7.
3. The notice shall state that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student.

The teacher shall remind the parent/guardian to meet with the principal or designee after completing the classroom visit and before leaving school premises.

Suspension By Superintendent, Principal Or Principal's Designee

A Superintendent, principal, or principal's designee may suspend a student from a school for any of the acts listed under "Grounds for Suspension and Expulsion" above for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

The Superintendent or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife, as defined in Education Code 48915(g), at another person.

3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.

4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item 414 under "Grounds for Suspension and Expulsion" above.

5. Possession of an explosive as defined in 18 USC 921.

Suspension may be imposed upon a first offense if the Superintendent, principal or designee determines the student violated items (i) - (v) listed in "Grounds For Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903 and 48912)

Suspension Procedures

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the principal or designee or the Superintendent or designee between 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 and the evidence against him/her and shall be given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911(b))

This conference may be omitted if the principal, designee or the Superintendent or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or school personnel. If the pre-suspension conference is not held, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference will be held as soon as the student is physically able to return to school. (Education Code 48911(c))

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior

A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee, who in turn will inform the Board.

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 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 also state the date and time when the student may return to school.

Should school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may also add that state law requires the parent/guardian to respond to such request without delay.

4. Parent/Guardian Conference: Whenever a student is suspended, school officials may meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such conference. The student may not be denied readmission solely because the parent/guardian failed to attend. (Education Code 48911)

5. Extension of Suspension: If the expulsion of a suspended student is being considered by the Board, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision. (Education Code 48911(g))

Any extension of the original period of suspension shall be 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. Extension of the suspension may be made only if 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(g))

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal or Principal's 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 if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. 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 may hold closed sessions if a public hearing would lead to disclosure of information which would violate a student's right to privacy under Education Code 49073-49079.

(cf. 9321 -Closed Session Purposes and Agendas)

The Board shall provide the student with written notice of the closed session by registered or certified mail. Upon receiving this notice the student 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 shall be in closed session. (Education Codes 48912)

Authority to Expel

A student may be expelled only by the Board. The Board shall expel, as required by law, any student found to have committed certain offenses listed below under "Mandatory Recommendation and Mandatory Expulsion."

The Board may also order a student expelled for any of the acts listed above under "Grounds for Suspension and Expulsion" upon recommendation by the principal, Superintendent, hearing officer or administrative panel, based on finding either or both of the following: (Education Code 48915(b) and (e))

1. That other means of correction are not feasible
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

Mandatory Recommendation For Expulsion

The principal, Superintendent or designee shall recommend a student's expulsion for any of the following acts, unless the principal or Superintendent or designee finds, and reports in writing to the Board, that expulsion is inappropriate due to particular circumstances which shall be set out in the report of the incident:

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife as defined in Education Code 48915(g), explosive 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 the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee.

Mandatory Recommendation And Mandatory Expulsion

The principal, Superintendent or designee shall recommend that the Board expel any student found at school or at a school activity off school grounds to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48915(c).1)
2. Brandishing a knife as defined in Education Code 48915(g) at another person. (Education Code 48915(c).2)
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058. (Education Code 48915(c).3)
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above. (Education Code 48915(c).4)
5. Possessing an explosive as defined in 18 USC 921.

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

Student's Right to Expulsion Hearing

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred. (Education Code 48918(a))

The student is entitled to 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 district's discretion. (Education Code 48918(a))

If the district finds it impracticable 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))

Once the hearing starts, all matters shall be pursued with reasonable diligence and concluded without unnecessary delay. (Education Code 48918(a))

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 48915.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Education Code 48915.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing.

2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies.
3. Have a closed hearing during the time he/she testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48915.5)

Written Notice of the Expulsion Hearing

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least ten 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. A parent/guardian of a student expelled for acts described in paragraphs through 4 of Education Code 48915(a), seeks enrollment in another district they must inform the new district of the students status with the expelling district, pursuant to Education Code 48915.1.

(cf. 5119 -Students Expelled from Other Districts)

5. The opportunity for the student or the student's parent/guardian to appear in person or to employ and be represented by counsel.
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.

Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and Education Code 35145, the Board shall conduct the hearing or arrange for an alternative 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 request is made, the meeting shall be public

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to deliberate and determine if the student should be expelled. If the Board admits any other person to the closed session, the parent/guardian, the student, counsel of the student and counsel of the parent/guardian shall also be allowed to attend the closed session. (Education Code 48918(c))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to have his/her testimony heard in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including but not limited to videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

2. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, so long as a reasonably accurate written and complete transcription of the proceedings can be made. (Education Code 48918(g))

3. Presentation of Evidence: While technical rules of evidence do not apply to such hearings, 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 must be supported by substantial evidence that the student committed any of the above acts listed under "Grounds for Suspension and Expulsion" above. Findings of fact shall be based solely on the evidence at the hearing.

While no evidence 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) and

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 Witness: The following procedures shall be observed when hearings involve allegations of sexual assault or sexual battery by a student: (Education Code 48918)

- a. Any complaining witness shall be given five days' notice before being called to testify.
- b. Any complaining witness shall be entitled to have up to two adult support persons, including but not limited to a parent/guardian or legal counsel, present during his/her testimony.
- c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- e. If one or both support persons are also witnesses, the hearing shall be conducted according to Penal Code 868.5.
- f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard.

Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.

g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.

(1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.

(2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.

(3) The person conducting the hearing may:

- (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness.
- (b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
- (c) Permit one of the support persons to accompany the complaining witness to the witness stand.

6. Decision Within Ten Days: The Board's decision on whether to expel a student shall be made within ten school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

7. Decision Within 40 Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative 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. Alternatively, the Board may 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(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified in "Conduct of Expulsion Hearing" above.

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 student shall be immediately reinstated. (See "Reinstatement" below.) The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers and with the student's parent/guardian. (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))

The hearing officer or administrative panel may recommend that the Board suspend the expulsion for a period of one year. (See "Suspension of Expulsion" below.)

The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Stipulated Expulsions

It is the policy of the Redlands Unified School District that, where approved by the Superintendent or designee, parents/guardians may agree to the expulsion of their pupil by stipulation without necessity of a hearing. This process will expedite the pupil's school placement and may expedite the rehabilitation process.

A stipulated expulsion must be purely voluntary. No district administrator or staff member may coerce a pupil, parent or guardian into entering into such a stipulation. Parents/guardians will be given three calendar days to decide on a stipulated expulsion agreement.

If the parent/guardian requests a stipulated expulsion, the Superintendent or designee will promulgate the stipulated agreement. If at any time the parent/guardian decides not to pursue a stipulated agreement, the expulsion proceedings and timelines, extended by the length of the period for consideration of the stipulation, will be reinstated. The stipulated agreement will be presented to the Board for final consideration.

The stipulated agreement will include the terms and conditions of the expulsion order, including alternative placement and a rehabilitation plan to be completed before the student can be re-admitted to the district.

Final Action by the Board

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel, the final action to expel must be taken by the Board at a public meeting. (Education Code 48918(f)) The Board shall maintain a record of each expulsion, including its cause. Expulsion records shall be non-privileged, disclosable public records.

(cf. 9321.1 - Closed Session Actions and Reports)

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

Upon ordering the 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 an act listed under "Mandatory Recommendation and Mandatory Expulsion" above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. (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 of the student at the time of review for readmission.
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service and other rehabilitative programs.
3. Such other recommendations as the Board approves.

With parental 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)

Upon expulsion, a copy of readmission procedures will be made available to the student and his/her parent/guardian.

Written Notice to Expel

The Superintendent or designee shall send written notice of the decision to expel to the student or parent/guardian. The notice shall include the following:

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed in Education Code 48900(a)-(o), Education Code 48900.2-48900.4 and Education Code 48915(c). (Education Code 48900.8)
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian. (Education Code 48916)
3. Notice of the right to appeal such expulsion to the County Board of Education. (Education Code 48918)
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion. (Education Code 48918)
5. The notice also shall inform the student or parent/guardian of his/her 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)

Suspension of Expulsion

The Board, upon voting to expel a student, may suspend the enforcement of the expulsion order for not more than one calendar year. When deciding whether to suspend an expulsion, the Board shall take into account the following criteria:

1. The student's previous behavior.
2. The seriousness of the misconduct.
3. The student's attitude toward the misconduct and his/her willingness to follow a rehabilitation program.

The suspension of the enforcement of an expulsion shall be governed by the following: (Education Code 48917)

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.
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status.
3. The suspension of expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion" above or violates any of the district's rules and regulations governing student conduct.
4. When suspension of expulsion order is revoked, a student may be expelled under the terms of the original expulsion order
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expungement of any or all records of the expulsion proceedings.
6. Suspension 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 of Education.
7. 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 also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education. (Education Code 48918(i))

Right to Appeal

The student or parent/guardian is entitled to file an appeal of the Board's decision to the County Board of Education.

The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion action is suspended and the student is placed on probation. (Education Code 48919)

Post-Expulsion Placements

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 such a site.
3. Not housed at the school site attended by the student at the time of suspension.

(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for acts described in items #6 through # 13 and # 17 through # 19 under "Grounds for Suspension and Expulsion" above may be instead referred to a program of study that is provided at another comprehensive middle, junior, or senior high school, or at an elementary school.

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)

Reinstatement

When the Board accepts a recommendation against expulsion or makes its own decision after the hearing not to expel, the decision is final and the student shall be reinstated immediately. The Superintendent or designee shall place the student in any classroom program, other instructional program, rehabilitation program, or any combination of such programs following consultation with district personnel, including the teacher involved, and with the student's parent/guardian. (Education Code 48918(e))

Readmission

An expulsion order shall remain in effect until the Board may order the readmission of the student.

Readmission procedures shall be as follows:

1. A written request for review of expulsion action and request for readmission shall be submitted by the parent/guardian to the Superintendent or designee.
2. The Superintendent or designee will hold a conference with the parent/guardian and the student.
3. At the conference the conditions for readmission will be reviewed. The Superintendent or designee shall verify that the rehabilitation plan has been met.
4. School regulations will be reviewed and the student and parent/guardian will be asked to indicate in writing their willingness to comply with these regulations.
5. The Superintendent or designee will transmit the request for readmission to the Board, along with his/her recommendation. The Board shall consider the request in closed session if the information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it will be honored.
6. The Superintendent or designee will notify the student or parent/guardian, by registered mail, of the district's decision regarding readmission.
7. 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)
8. 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. (Education Code 48916)
9. 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)

Maintenance of Records

The Board will maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls, within five days of a written request by the admitting school. (Education Code 48900.8, 48918(k))

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district. (Education Code 48915.1)

cf. 5119 - Students Expelled from Other Districts)

(cf. 5125 - Student Records)

Notifications and Reports

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering or sale of controlled substances, alcohol, or intoxicants of any kind.

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 also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

Outcome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion.
2. The specific grounds for each recommended expulsion.
3. Whether the student was subsequently expelled.
4. Whether the expulsion order was suspended.
5. The type of referral made after the expulsion.
6. The disposition of the student after the end of the expulsion period.

Suspension and Expulsion/Due Process

Redlands Unified
Administrative Regulation
AR 51441
Adopted June 27, 1995
Students

Definitions

Suspension from school 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. Removal from a particular class shall not occur more than once every five school days.

Expulsion means removal of a student from the immediate supervision and control, or the general supervision, of school personnel. (Education Code 48925)

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian or legal counsel. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

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, suspension and expulsion. Transfer students and their parents/guardians shall be notified at the time of enrollment. (Education Code 35291.5, 48900.1, 48980)
(cf. 5144 - Discipline)

Notification shall include information about the ongoing availability of individual school rules and all district policies and regulations pertaining to student discipline. (Education Code 35291)
(cf. 5145.6 - Parental Notifications)

Grounds for Suspension and Expulsion

A student may be subject to suspension or expulsion when it is determined that he/she:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense. (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aide or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code 48900(s))

2. Possessed, sold, or otherwise furnished any firearm. Knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48900(b))
(cf. 5131 - Conduct)
(cf. 5131.7 - Weapons and Dangerous Instruments)

3. Unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of, any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind. (Education Code 48900(c))
(cf. 5131.6 - Alcohol and Other Drugs)

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid, substance or material and represented same as controlled substance, alcohol beverage or intoxicant. (Education Code 48900(d))

5. Committed or attempted to commit robbery or extortion. (Education Code 48900(e))

6. Caused or attempted to cause damage to school property or private property. (Education Code 48900(f))

7. Stole or attempted to steal school property or private property. (Education Code 48900(g))

8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products (Education Code 48900(h))

9. Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))

10. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5. (Education Code 48900(j))

11. Disrupted school activities or otherwise willfully defied 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))

12. Knowingly received stolen school property or private property. (Education Code 48900(l))

13. Possessed an imitation firearm, i.e., 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))

14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code 243.4. (Education Code 48900(n))

15. 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))

16. Made terrorist threats against school officials and/or school property. (Education Code 48900.7)

Pursuant to Education Code 48900.7, the making of a terrorist threat includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person or property damage in excess of \$1,000.00, 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.

A student in grades 4 through 12 is also subject to suspension or recommendation for expulsion when it is determined that he/she:

17. Committed sexual harassment as defined in Education Code 212.5. (Education Code 48900.2)

Pursuant to Education Code 48900.2 the conduct constitutes harassment when considered from the perspective of a reasonable person of the same gender as the victim to be 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.

(cf. 5145.7 - Sexual Harassment)

18. 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)

(cf. 5145.9 - Hate-Motivated Behavior)

Education Code 233 defines "hate violence" as any act punishable under Penal Code 422.6, 442.7 or 422.75. Such acts include injuring or intimidating another person, interfering with the exercise of a person's civil rights, or damaging a person's property because of the person's race, color, religion, ancestry, national origin, disability, gender or sexual orientation.

19. Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading student rights by creating an intimidating or hostile educational environment. (Education Code 48900.4)

(cf. 5145.3 - Nondiscrimination/Harassment)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent or principal or within any other school district, including but not limited to the following circumstances: (Education Code 48900)

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.

The Superintendent or principal may use his/her discretion to provide alternative to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program. (Education Code 48900(r))

Alternatives to suspension or expulsion will be used with students who are truant, tardy, or otherwise absent from assigned school activities.

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Truancy)

Removal from Class by a Teacher/Parental Attendance

A teacher may suspend any student from his/her class for the remainder of the day and the following day for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

A teacher also may refer a student to the principal or designee for consideration of suspension from school. (Education Code 48910)

When removing a student from his/her class, the teacher shall immediately report this action to the principal and send the student to the principal for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been removed.

As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the removal. A counselor or psychologist should attend the conference if it is practicable, and a school administrator may attend if either the parent/guardian or teacher so requests.

A student removed from class shall not be returned to class during the period of removal without the approval of the teacher of the class and the principal. (Education Code 48910)

A student removed from class shall not be placed in another regular class during the period of removal. However, if a student is assigned to more than one class per day, he/she may be placed in any other regular classes except those held at the same time as the class from which the student was removed. (Education Code 48910)

The teacher of any class from which a student is removed may require the student to complete any assignments and tests missed during the removal. (Education Code 48913)

Pursuant to Board policy, a teacher may provide that the parent/guardian of a student whom the teacher has removed attend a portion of a school day in his/her child's classroom. When a teacher makes this request, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is requested pursuant to law. (Education Code 48900.1)

This notice shall also:

1. Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternate date.
2. Describe the legal protections afforded to the parent/guardian as an employee under Labor Code 230.7.
3. State that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student.
4. Ask the parent/guardian to meet with the principal after the visit and before leaving school, as required by Education Code 48900.1.

Suspension by Superintendent, Principal or Principal's Designee

The Superintendent, principal or principal's designee may suspend a student from a school for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

The Superintendent or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife, as defined in Education Code 48915(g), at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion".
5. Possession of an explosive as defined in 18 USC 921.

Suspension also may be imposed upon a first offense if the Superintendent, principal or designee determines the student violated items #1-5 listed in "Grounds for Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903, 48912)

The Superintendent or designee may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which a student may be suspended in any school year. (Education Code 48903)

Suspensions shall be initiated according to the following procedures:

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the principal, designee or the Superintendent 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 and the evidence against him/her; the student shall be given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911(b))

This conference may be omitted if the principal, designee or the Superintendent determines that an emergency situation exists. An "emergency situation" involves 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 a conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference will be held as soon as the student is physically able to return to school. (Education Code 48911(c))

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee.

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 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 also state the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may add that state law requires the parent/guardian to respond to such requests without delay.

4. Parent/Guardian Conference: Whenever a student is suspended, school officials may meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such conference. The student may not be denied readmission solely because the parent/guardian failed to attend. (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. (Education Code 48911(g))

Any extension of the original period of suspension shall be 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. Extension of the suspension may be made only if 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)

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal or Principal's 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 if any of the acts listed in “Grounds for Suspension and Expulsion” occurred. 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 closed sessions if a public hearing would lead to disclosure of information violating a student’s right privacy under Education Code 49073-49079.

(cf. 9321 - Closed Session Purposes and Agendas)

The Board shall provide the student and his/her parent/guardian with written notice of the closed session by or certified mail. 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 Codes 35146, 48912)

On-Campus Suspension Program

Students for whom an expulsion action has not been initiated and who pose no imminent danger or threat to the school may be assigned to a separate, supervised suspension classroom for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

1. The supervised suspension classroom shall be staffed in accordance with law.
2. The student shall have access to appropriate counseling services.
3. The supervised suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.
4. Each student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom. The teacher 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 a supervised 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 shall be made in writing. (Education Code 48911.1)

Authority to Expel

A student may be expelled only by the Board. The Board shall expel, as required by law, any student found to have committed certain offenses listed below under “Mandatory Recommendation and Mandatory Expulsion.”

The Board also may order a student expelled for any of the acts listed under “Grounds for Suspension and Expulsion” upon recommendation by the principal, Superintendent, hearing officer or administrative panel, based on finding 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.

Mandatory Recommendation for Expulsion

Unless the principal, Superintendent or designee finds that expulsion is inappropriate due to particular circumstances, the principal, Superintendent or designee shall recommend a student’s expulsion for any of the following acts: (Education Code 48915 (a))

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife as defined in Education Code 48915(g), explosive or other dangerous object of no reasonable use to the student.
3. Unlawful possession of any controlled substance, as listed in the Health and Safety Code 11053-11058, except for the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee.

Mandatory Recommendation and Mandatory Expulsion

Note: The Attorney General has determined, in 80 Ops.Cal. Atty. Gen. 347 (1997), that a district may not adopt a zero tolerance policy mandating expulsion of a student for a first offense of possession of a controlled substance or alcohol.

The principal, Superintendent or designee shall recommend that the Board expel any student found at school or at a school activity to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife as defined in Education Code 48915(g) at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above.
5. Possessing an explosive as defined in 18 USC 921.

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

The initial recommendation for consideration of expulsion is that of the school principal or the Superintendent. Designees may not make this type of recommendation.

The recommendation for consideration of expulsion shall be submitted to the Director, Office of Student Services, who will review the material and recommend:

1. Reassignment to appropriate regular education program.
2. Refer student to Alternative Program; i.e., Community School, Independent Study, Continuation or Opportunity School, or other district programs.
3. Refer the matter to the Discipline Review Panel for further consideration.

When a case is referred to the discipline Review Panel, the panel shall question school personnel who have information on the incident and the behavior record of the student charged and weighs the evidence presented.

The panel shall, in the case of an expulsion consideration, weigh information presented to determine:

- a. Is the evidence sufficient to support consideration by the expulsion panel?
- b. Has the district, through the schools involved, considered or utilized alternatives to expulsion when possible?
- c. Have due process procedures been adhered to?

The recommendation shall be either to proceed with the expulsion or to utilize an existing practical alternative in lieu of expulsion.

If the district (school) has not adhered to due process requirements, the student shall be returned to school immediately.

If the Discipline Review Panel meets to consider a matter other than an expulsion, it shall provide its best judgment as to an effective alternative program or plan to action.

The recommendation of the Discipline Review Panel shall be forwarded to the Director, Office of Student Services, who shall then review the facts, concur, veto or modify the recommendation.

4. That an expulsion panel be convened.

At the time a recommendation for expulsion is submitted, a hearing shall be scheduled by the Superintendent or designee to determine whether the suspension shall be extended. If the decision is to extend the suspension, the period of time shall be until the Board has rendered a decision or until the expulsion process is otherwise terminated.

The extension of suspension shall be based upon determination by the Superintendent or designee that the presence of the student at the school or in an alternative school placement would cause a danger to persons or property or a threat of disrupting the instructional process. This extension shall be imposed only after the student and the parent/guardian have been given the opportunity to be present at a hearing conducted by the Superintendent or designee. At this time, the student and parent/guardian shall be given the opportunity to be heard and present any information that might bear upon the decision.

Materials which support the decision of the person recommending the expulsion shall be prepared and submitted to the Office of Student Services. The departments of Attendance, Guidance, Special Education and/or Health may be requested to assist in the preparation of this material.

Student's Right to Expulsion Hearing

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred. (Education Code 48918 (a))

The student is entitled to 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 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 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 no 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))

Waiver of Hearing (Default Proceedings)

If the parent/guardian agrees that their son/daughter behaved essentially in the manner stated in the principals letter recommending expulsion and that such behavior constitutes a violation of the California Education Code, Section 48900, 48900.2, 48900.3, 48900.4, 48900.7 and/or 48915 a suspendable/expellable offense, the parent/guardian may request to waive the Administrative Hearing Panel.

When the parent/guardian agrees to waive the Administrative Hearing Panel, they also waive all notification and timelines related to the expulsion hearing process, along with their rights to appeal the determination of the Board.

The signed affidavit and findings of fact will be submitted to the Board for their approval. The Board has the discretionary power to accept, reject, or modify all recommendations.

Rights of Complaining Witness

An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental or emotional needs of a student who is the complaining witness. (Education Code 48918.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to all the following: (Education Code 48918.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing.
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies.
3. Have a closed hearing during the time he/she testifies.

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48918.5)

Written Notice of the Expulsion Hearing (Education Code 48918(b))

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least 10 calendar days before the date of the hearing. The notice shall include: (Education Code 48900.8, 48918 (b))

1. The date and place of the hearing.
2. A statement of the specific facts, charges and offense upon which the proposed expulsion is based.
3. A copy of district disciplinary rules which relate to the alleged violation.
4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment. This obligation applies when a student is expelled for acts other than those described in Education Code 48915 (a) or (c).
(cf. 5119 - Students Expelled from other Districts)

5. The opportunity for the student or the student's parent/guardian to appear in person and/or be represented by legal counsel or by a non-attorney advisor.

Legal counsel means an attorney or lawyer who is admitted to the practice of law in California and is an active member of the State Bar of California.

Non-attorney advisor 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.

Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and 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 request is made, the meeting shall be public, unless another student's privacy rights would be violated.

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to determine if the student should be expelled. If the Board admits any other person to the closed session, the parent/guardian, the student, and the counsel of the student, shall also be allowed to attend the closed session. (Education Code 48918(c))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to have his/her testimony heard in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including but not limited to videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

2. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate written and complete transcription of the proceedings can be made. (Education Code 48918(g))

3. Subpoenas: Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with the Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20, formerly 11525. (Education Code 48918(i))

Any objection raised by the student or the Superintendent or designee to the issuance of subpoenas may be considered by the Board in closed session, or in open session if so requested by the student, before the meeting. The Board's decision in response to such an objection shall be final and binding. (Education Code 48918(i))

If the Board determines, or if the hearing officer or administrative panel finds and submits to the Board, that a witness would be subject to unreasonable risk of harm by testifying at the hearing, a subpoena shall not be issued to compel the personal attendance of that witness at the hearing. However, that witness may be compelled to testify by means of a sworn declaration as described in item #4 below. (Education Code 48918(i))

4. Presentation of Evidence: While technical rules of evidence do not apply to expulsion hearings, 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 must be supported by substantial evidence that the student committed any of the acts listed in "Grounds for Suspension and Expulsion" above.

Findings of fact shall be based solely on the evidence at the hearing. While no evidence 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) and (h))

In cases where a search of a student's person or property has occurred, evidence describing the reasonableness of the search shall be included in the hearing record.

5. Testimony by Complaining Witnesses: The following procedures shall be observed when hearings involve allegations of sexual assault or sexual battery by a student: (Education Code 48918)

- a. Any complaining witness shall be given five days' notice before being called to testify.
- b. Any complaining witness shall be entitled to have up to two adult support persons, including but not limited to a parent/guardian or legal counsel, present during his/her testimony.
- c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- e. If one or both support persons are also witnesses, the hearing shall be conducted according to Penal Code 868.5.
- f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.
- g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.
 - (1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.
 - (2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.
 - (3) The person conducting the hearing may:
 - (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness.
 - (b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
 - (c) Permit one of the support persons to accompany the complaining witness to the witness stand.

6. Decision Within 10 Days: The Board's decision on whether to expel a student shall be made within 10 school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

7. Decision Within 40 Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

Instead of conducting an expulsion hearing itself, the Board may contract with the county hearing officer or with the Office of Administrative Hearings of the State of California for a hearing officer. Alternatively, the Board may 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(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified in "Conduct of Expulsion Hearing."

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 student shall be immediately reinstated. (See "Reinstatement.") The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers, and with the student's parent/guardian. (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 for a period of one year. (See "Decision Not to Enforce Expulsion Order" below.)

The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

The Discipline Review Panel

The Discipline Review Panel will consist of elementary educators when a review is being made of an elementary student and of secondary educators when a review is being made of secondary student.

1. The Discipline Review Panel shall hear the following types of disciplinary cases:
 - a. Requests for expulsion from site principals or the Superintendent.
 - b. School site administrative requests for assistance (non-expulsion situations).
2. Each discipline review panel shall consist of three certificated persons plus a chairperson and shall consist of elementary educators when a review is being made of an elementary student and of secondary educators when a review is being made of a secondary student. A panelist may not serve on any panel involving a student who is currently attending the school in which he/she is assigned. A representative from Student Services shall be a nonvoting member of each panel.

A chairperson and assistant chairperson, to serve when the chairperson is unable to serve, shall be appointed by the Superintendent or designee and shall serve at his/her pleasure. Neither shall be a member of the Student Services staff.

A pool of panelists shall be established which shall be composed of personnel who have served or are currently serving as members of administrative expulsion panels. The committee chairman shall select members to serve on individual panels.

The meetings of the discipline review panel are open to school district personnel only.

The duties of the Discipline Review Panel are as follows:

1. The chairperson shall call a meeting of the panel as soon as possible, but no later than 10 school days after the receipt of notice of a pending case.
2. A recommendation must be forwarded to the Director, Office of Student Services, within three days of the review hearing.
3. In the event a member of the committee cannot be present at a meeting, the Director, Office of Student Services, will appoint an alternate from the pool to attend.

Final Action by the Board

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel, the final action to expel shall be taken by the Board at a public meeting. (Education Code 48918(j))

(cf. 9321.1 - Closed Session Actions and Reports)

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

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 an act listed under “Mandatory Recommendation and Mandatory Expulsion” above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. (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 of the student at the time of review for readmission.
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service and other rehabilitative programs.

With parental 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 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 in Education Code 48900 (a)-(o), Education Code 48900.2-48900.4, Education Code 48915 (c) and (Education Code 48900.8).
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian. (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Governing Board. (Education Code 48918)
4. Notice of the alternative educational placements 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 Not to Enforce Expulsion Order

In accordance with Board policy, when deciding whether to suspend the enforcement of an expulsion, the Board shall take into account the following criteria:

1. The student’s pattern of behavior.
2. The seriousness of the misconduct.
3. The student’s attitude toward the misconduct and his/her willingness to follow a rehabilitation program.

The suspension of the enforcement of an expulsion shall be governed by the following: (Education Code 48917)

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.
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status.
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” above or violates any of the district’s rules and regulations governing student conduct.
4. When the suspension of the enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order.
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings.
6. 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 County Board of Education.

7. 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 also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education. (Education Code 48918 (j))

Right to Appeal

The student or parent/guardian is entitled to file an appeal of the Board's decision to the County Board of Education. The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion action is suspended and the student is placed on probation. (Education Code 48919)

Post-Expulsion Placements

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 such a site.
3. Not housed at the school site attended by the student at the time of suspension.

(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for acts described in items #6 through #13 and #17 through #19 under "Grounds for Suspension and Expulsion" may be instead 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

Readmission procedures shall be as follows:

1. On the date set by the Board when it ordered the expulsion, the district shall consider readmission of the student. (Education Code 48916)
2. 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.
3. The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session if information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it shall be honored.
4. 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.
5. 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)
6. 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. (Education Code 48916)
7. 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)

Maintenance of Records

The Board shall maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls, within five days of a written request by the admitting school. (Education Code 48900.8, 48918(k))

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district. (Education Code 48915.1)

(cf. 5119 - Students Expelled from Other Districts)

(cf. 5125 - Student Records)

Notifications 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 also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering or sale of controlled substances, alcohol, or intoxicants of any kind. (Education Code 48902)

Ouome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion.
2. The grounds for each recommended expulsion.
3. Whether the student was subsequently expelled.
4. Whether the expulsion order was suspended.
5. The type of referral made after the expulsion.
6. The disposition of the student after the end of the expulsion period.

Regulation: REDLANDS UNIFIED SCHOOL DISTRICT

Approved: June 27, 1995, Redlands, California

(D) Procedures to Notify Teachers of Dangerous Pupils (EC 49079)

Teacher Notice of Disciplinary History

The site's Records Clerk shall provide to the administration of Beattie Middle School information on each pupil who has: (1) during the previous three school years, engaged in any suspendable or expellable act (except E.C. 48900 (h)) or (b) committed a crime reported to the District by a family member, local law enforcement, Probation Department or social services. This information is used to develop awareness, assigning appropriate discipline consequences, helps in allocating resources, and is a factor in determining which services are provided to the pupil or recommended to the parent/guardian.

(E) Sexual Harassment Policies (EC 212.6 [b])

Policy 4119.11: Sex Discrimination and Sex-Based Harassment

The Governing Board is committed to providing a safe work environment that is free of harassment and intimidation. The Board prohibits sexual harassment against district employees by anyone, in any manner, and prohibits retaliatory action or behavior against any persons who complains, testifies, or otherwise participates in the complaint process established pursuant to this policy and accompanying administrative regulation. This policy shall apply to all district employees, interns, volunteers, contractors, job applicants, and other persons with an employment relationship with the district.

(cf. 0410 - Nondiscrimination in District Programs and Activities) (cf. 4030 - Nondiscrimination in Employment)

Sexual harassment includes, but is not limited to, harassment that is based on the sex, gender, gender identity, gender expression, or sexual orientation of the victim and harassment based on pregnancy, childbirth, or related medical conditions.

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation, and correction of sexual harassment, including but not limited to:

1. Providing training to all staff in accordance with law and administrative regulation.
2. Publicizing and disseminating the district's sexual harassment policy to staff.
3. Ensuring prompt, thorough, equitable, and fair investigation of complaints
4. Taking timely and appropriate corrective/remedial actions which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments.

The Superintendent or designee shall periodically evaluate the effectiveness of the district's strategies to prevent and address harassment. Such evaluation may involve conducting regular anonymous employee surveys to assess whether harassment is occurring or is perceived to be tolerated, partnering with researchers or other agencies with the needed expertise to evaluate the district's prevention strategies, and using any other effective tool for receiving feedback on systems and/or processes. As necessary, changes shall be made to the harassment policy, complaint procedures, or training.

Sexual Harassment Reports and Complaints

Any district employee who feels that he/she has been sexually harassed in the performance of their district responsibilities or who has knowledge of any incident of sexual harassment by or against another employee shall immediately report the incident to his/her supervisor, the principal, other district administrator, or the district's Title IX Coordinator. However, an employee may bypass his/her supervisor in filing a complaint if the supervisor is the subject of the complaint. A supervisor, principal, or district administrator who receives a harassment complaint shall promptly notify the Title IX Coordinator.

Once notified, the Title IX Coordinator shall ensure the complaint or allegation is addressed through AR 4119.12/4219.12/4319.12 – Title IX Sexual Harassment Complaint Procedures or AR 4030- Nondiscrimination in Employment, as applicable. Because a complaint or allegation that is dismissed or denied under the Title IX complaint procedure may still be subject to consideration under state law, the Title IX Coordinator shall ensure that any implementation of AR 4119.12/4219.12/4319.12 concurrently meets the requirements of AR 4030.

Notwithstanding the above, BP/AR 4119.12/4219.12/4319.12 and 4030 shall under no circumstances be used to resolve complaints brought by, on behalf of, or against students. All complaints brought by, on behalf of, or against students that allege “sexual harassment” as that term is defined in the federal regulations implementing Title IX of the Education Amendments of 1972 (see 34 C.F.R. § 106, et seq.) shall be investigated and resolved under BP/AR 5145.71. All complaints brought by, on behalf of, or against students that do not meet the definition of “sexual harassment” as set forth in the Title IX implementing regulations shall be investigated and resolved under BP/AR 1312.3.

(cf. 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaints)

The Title IX Coordinator shall offer supportive measures to the complainant and respondent, as deemed appropriate under the circumstances.

Upon investigation of a sexual harassment complaint, any district employee who engages, or participates in sexual harassment, or who aids, abets, incites, compels, or coerces another to commit sexual harassment in violation of this policy is subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Reports) (cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4218 -

Dismissal/Suspension/Disciplinary Action)

Regulation 4119.12: Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures

The complaint procedures described in this administrative regulation shall be used to address any complaint governed by Title IX of the Education Amendments of 1972 alleging that a district employee, while in an education program or activity in which a district school exercises substantial control over the context and respondent, was subjected to one or more of the following forms of sexual harassment: (34 CFR 106.30, 106.44)

1. A district employee conditioning the provision of a district aid, benefit, or service on a person's participation in unwelcome sexual conduct
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291 (cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

All other sexual harassment complaints or allegations shall be investigated and resolved in accordance with AR 4030

- Nondiscrimination in Employment. The determination of whether the allegations meet the definition of sexual harassment under Title IX shall be made by the district's Title IX Coordinator.

(cf. 4030 - Nondiscrimination in Employment)

Because the complainant has a right to pursue a complaint under AR 4030 for any allegation that is dismissed or denied under the Title IX complaint procedure, the Title IX Coordinator shall ensure that all requirements and timelines for AR 4030 are concurrently met while implementing the Title IX procedure.

Reporting Allegations/Filing a Formal Complaint

An employee who is the alleged victim of sexual harassment may submit a report of sexual harassment to the district's Title IX Coordinator using the contact information listed in AR 4119.11/4219.11/4319.11 - Sexual Harassment or to the employee's direct supervisor or other district administrator, who shall forward the report to the Title IX Coordinator within one day of receiving the report. Upon receiving such a report, the Title IX Coordinator shall inform the complainant of the right to file a formal complaint and the process for filing a formal complaint.

A formal complaint, with the complainant's physical or digital signature, may be filed with the Title IX Coordinator in person, by mail, by email, or by any other method authorized by the district. (34 CFR 106.30)

Even if the alleged victim chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations when a safety threat exists. In addition, the Title IX Coordinator may file a formal complaint in other situations as permitted under the Title IX regulations, including as part of the district's obligation to not be deliberately indifferent to known allegations of sexual harassment. In such cases, the Title IX Coordinator shall provide the alleged victim notices as required by the Title IX regulations at specific points in the complaint process.

The Title IX Coordinator, investigator, decision-maker, or a facilitator of an informal resolution process shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. Such persons shall receive training in accordance with 34 CFR 106.45. (34 CFR 106.45)

Supportive Measures

Upon receipt of a report of Title IX sexual harassment, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures and shall consider the complainant's wishes with respect to the supportive measures implemented. Supportive measures shall be offered as appropriate, as reasonably available, and without charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures shall be nondisciplinary, nonpunitive, and not unreasonably burden the other party, including measures designed to protect the safety of all parties or the district's educational environment or to deter sexual harassment. Supportive measures may include, but are not limited to, counseling, extensions of deadlines, modifications of work schedules, mutual restrictions on contact, changes in work locations, leaves of absence, increased security, and monitoring of certain areas of the campus. (34 CFR 106.30, 106.44)

The district shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the district's ability to provide the supportive measures. (34 CFR 106.30)

Emergency Removal

If a district employee is the respondent, the employee may be placed on administrative leave during the pendency of the formal complaint process. (34 CFR 106.44)

If the respondent is a student, the district may, on an emergency basis, remove the student from the district's education program or activity, provided that the district conducts an individualized safety and risk analysis, determines that removal is justified due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations, and provides the student with notice and an opportunity to challenge the decision immediately following the removal. This authority to remove a student does not modify a student's rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973. (34 CFR 106.44)

Dismissal of Complaint

The Title IX Coordinator shall dismiss a formal complaint if the alleged conduct would not constitute sexual harassment as defined in

34 CFR 106.30 even if proved. The Title IX Coordinator shall also dismiss any complaint in which the alleged conduct did not occur in the district's education program or activity or did not occur against a person in the United States, and may dismiss a formal complaint if the complainant notifies the district in writing that the complainant would like to withdraw the complaint or any allegations in the complaint, the respondent is no longer employed by the district, or sufficient circumstances prevent the district from gathering evidence sufficient to reach a determination with regard to the complaint. (34 CFR 106.45)

Upon dismissal, the Title IX Coordinator shall promptly send written notice of the dismissal and the reasons for the dismissal simultaneously to the parties and shall inform them of their right to appeal the dismissal of a formal complaint or any allegation in the complaint in accordance with the appeal procedures described in the section "Appeals" below. (34 CFR 106.45)

If a complaint is dismissed, the conduct may still be addressed pursuant to AR 4030 - Nondiscrimination in Employment as applicable.

Informal Resolution Process

When a formal complaint of sexual harassment is filed, the district may offer an informal resolution process, such as mediation, at any time prior to reaching a determination regarding responsibility. The district shall not require a party to participate in the informal resolution process or to waive the right to an investigation and adjudication of a formal complaint. (34 CFR 106.45)

The district may facilitate an informal resolution process provided that the district: (34 CFR 106.45)

1. Provides the parties with written notice disclosing the allegations, the requirements of the informal resolution process, the right to withdraw from the informal process and resume the formal complaint process, and any consequences resulting from participating in the informal resolution process, including that records will be maintained or could be shared.
2. Obtains the parties' voluntary, written consent to the informal resolution process

Written Notice

If a formal complaint is filed, the Title IX Coordinator shall provide the known parties with written notice of the following: (34 CFR 106.45)

1. The district's complaint process, including any informal resolution process
2. The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known. Such notice shall be provided with sufficient time for the parties to prepare a response before any initial interview. If, during the course of the investigation, new Title IX allegations arise about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.
3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process
4. The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an attorney, and the ability to inspect and review evidence
5. The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process

The above notice shall also include the name of the investigator, facilitator of an informal process, and decision-maker and shall inform the parties that, if at any time a party has concerns regarding conflict of interest or bias regarding any of these persons, the party should immediately notify the Title IX Coordinator.

Investigation Procedures

During the investigation process, the district's designated investigator shall: (34 CFR 106.45)

1. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and

exculpatory evidence

2. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence
3. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney
4. Not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding, although the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as the restrictions apply equally to both parties
5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate
6. Send in an electronic format or hard copy to both parties and their advisors, if any, the evidence obtained as part of the investigation that is directly related to the allegations raised in the complaint, and provide the parties at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report
7. Objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and determine credibility in a manner that is not based on a person's status as a complainant, respondent, or witness
8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review and written response

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. (34 CFR 106.45)

Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.

If the complaint is against an employee, rights conferred under an applicable collective bargaining agreement shall be applied to the extent they do not conflict with the Title IX requirements.

Written Decision

The Superintendent shall designate an employee as the decision-maker to determine responsibility for the alleged conduct, who shall not be the Title IX Coordinator or a person involved in the investigation of the matter. (34 CFR 106.45)

After the investigative report has been sent to the parties but before reaching a determination regarding responsibility, the decision-maker shall afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party.

The decision-maker shall issue, and simultaneously provide to both parties, a written decision as to whether the respondent is responsible for the alleged conduct. (34 CFR 106.45)

The written decision shall be issued within 60 calendar days of the receipt of the complaint.

The timeline may be temporarily extended for good cause with written notice to the complainant and respondent of the extension and the reasons for the action. (34 CFR 106.45)

In making this determination, the decision-maker shall use the "preponderance of the evidence" standard for all formal complaints of sexual harassment. (34 CFR 106.45)

The written decision shall include the following: (34 CFR 106.45)

1. Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR 106.30

2. A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the district includes hearings as part of the grievance process
3. Findings of fact supporting the determination
4. Conclusions regarding the application of the district's code of conduct or policies to the facts
5. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's educational program or activity will be provided by the district to the complainant
6. The district's procedures and permissible bases for the complainant and respondent to appeal

Appeals

Either party may appeal the district's decision or dismissal of a formal complaint or any allegation in the complaint, if the party believes that a procedural irregularity affected the outcome, new evidence is available that could affect the outcome, or a conflict of interest or bias by the Title IX Coordinator, investigator(s), or decision-maker(s) affected the outcome. If an appeal is filed, the district shall: (34 CFR 106.45)

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties
2. Ensure that the decision-maker(s) for the appeal is trained in accordance with 34 CFR 106.45 and is not the same decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator
3. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome
4. Issue a written decision describing the result of the appeal and the rationale for the result
5. Provide the written decision simultaneously to both parties

An appeal must be filed in writing within 10 calendar days of receiving the notice of the decision or dismissal, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered.

A written decision shall be provided to the parties within 20 calendar days from the receipt of the appeal.

Either party has the right to file a complaint with the U.S. Department of Education's Office for Civil Rights within 180 days of the date of the most recently alleged misconduct.

The complainant shall be advised of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal antidiscrimination laws, if applicable.

Remedies

When a determination of responsibility for sexual harassment has been made against the respondent, the district shall provide remedies to the complainant. Such remedies may include the same individualized services described above in the section "Supportive Measures," but need not be nondisciplinary or nonpunitive and need not avoid burdening the respondent. (34 CFR 106.45)

Disciplinary Actions

The district shall not impose any disciplinary sanctions or other actions against a respondent, other than supportive measures as described above in the section "Supportive Measures," until the complaint procedure has been completed and a determination of responsibility has been made. (34 CFR 106.44)

When an employee is found to have committed sexual harassment or retaliation, the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Report)

(cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4119.11/4219.11/4319.11 - Sexual Harassment) (cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Record-Keeping

The Superintendent or designee shall maintain, for a period of seven years: (34 CFR 106.45)

1. A record of all reported cases and Title IX investigations of sexual harassment, any determinations of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary sanctions imposed, any remedies provided to the complainant, and any appeal or informal resolution and the results therefrom.
2. A record of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment, including the district's basis for its conclusion that its response was not deliberately indifferent, the measures taken that were designed to restore or preserve equal access to the education program or activity, and, if no supportive measures were provided to the complainant, the reasons that such a response was not unreasonable in light of the known circumstances.
3. All materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process. The district shall make such training materials publicly available on its web site, or if the district does not maintain a web site, available upon request by members of the public.

(cf. 1113 - District and School Web Sites) (cf. 3580 - District Records)

(F) School-wide Dress Code Relating to Gang-Related Apparel (EC 35183)

Policy 5132.16: Student Dress Guidelines

The Governing Board believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Students' clothing must not present a health or safety hazard or a distraction which would interfere with the educational process.

Students and parents/guardians shall be informed about dress and grooming standards at the beginning of the school year and whenever these standards are revised. A student who violates these standards shall be subject to appropriate 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 dress code may be included as part of the school safety plan and must be presented to the Board for approval. The Board shall approve the plan upon determining that it is necessary to protect the health and safety of the school's students.

Uniforms

The Board recognizes that, in order to promote student safety and discourage peer rivalry and/or gang activity, the principal, staff and parent/guardian at a school site may wish to establish a reasonable dress code, which may include voluntary school uniforms.

Dress codes, which include voluntary school uniforms, may be included as part of the school safety plan submitted as required.

The Superintendent or designee shall establish procedures that schools, parents and guardians will follow if they decide to participate with the voluntary school uniform policy. Students shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardian decide not to participate.

The Governing Board feels that there is nothing inherently wrong with dress or color of dress, but when student's dress serves to intimidate or impede the rights of other students it will be determined that dress is in violation of this policy. A student may not remain at school dressed in a manner which (1) creates a safety hazard for said student or for other students at school, and/or (2) when the dress constitutes a serious and unnecessary distraction to the learning process or tends to disrupt campus order

When the site administrator/designee determines that a student's attire is in violation of this policy, the student will be required to modify his/her clothing and/or apparel in such a manner that it no longer violates this policy. If necessary, the student may be taken or sent home with parental permission to modify unacceptable dress and return to school. Refusal to take steps as described in this policy shall be cause for disciplinary action against the student. Any such disciplinary action shall be handled pursuant to existing student disciplinary policy

Parents/guardians have primary responsibility to see that students are properly attired for school. School district personnel have the responsibility for maintaining proper and appropriate conditions conducive to learning. Hence, the following guidelines will be implemented in all district schools.

1. Shoes will be worn at all times. A substantial sole is required and enclosed toe and heel footwear are highly encouraged.
2. Extremely brief garments that are distracting to the educational environment are not appropriate. Clothing shall be sufficient to conceal undergarments at all times.
3. Clothing or accessories shall be free of writing, pictures or any other insignia which are crude, violent, obscene or sexually suggestive or which advocate racial, ethnic or religious prejudice or the use of tobacco, drugs or alcohol.
4. Earrings, jewelry, or accessories which present a safety hazard to the wearer or others are not suitable for school wear.
5. Only prescription sunglasses may be worn in class. Other types of sunglasses may be worn on campus outside of class.
6. Identified gang attire such as bandannas, haircuts or hair rollers, or any gang paraphernalia are prohibited.

Students are allowed to wear sun protective clothing, including hats, while outdoors during the school day. Each school site will develop a policy indicating the type of sun protective hats that are permitted.

No grade of a student participating in a physical education class shall be adversely affected if the student does not wear standardized physical education apparel because of circumstances beyond the student's control. (Education Code 49066) All clothing worn during physical education shall meet reasonable safety standards.

The purpose of adopting these Student Dress Guidelines is not to infringe on any individual student's rights to freedom of expression, but rather to encourage students to dress appropriately and come to school properly prepared for participating in the educational process.

Gang-Related Apparel

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed as needed and updated as necessary.

Uniforms

In schools where a majority of parents respond and indicate on a survey that they desire to establish a voluntary school-wide uniform dress code, the principal, staff and the parents/guardians of the individual school site shall:

1. Jointly select the specific uniform to be worn. (Education Code 35183)
2. Describe the uniform parts and identify local vendors who sell those pieces of clothing. A description of the implementation of the voluntary uniform dress code will be submitted to the superintendent's designee including:
 - a. The process for parent notification
 - b. Positive procedures that will be used to encourage students to participate with the voluntary uniform dress code
3. A description of the uniform and a list of costs for each competitively priced item of clothing as provided by a variety of vendors will be sent to parents.
4. Parents will be notified that this is a voluntary uniform dress code and that students not participating shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardians so decide.

Parent Notification

The principal shall give parents/guardian at least six months notice before a school site implements a voluntary school uniform dress code. (Education Code 35183)

(G) Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School (EC 35294.2)

Teachers report in every morning on site either in the front office or the school library. Parents, visitors, and outside workers are required to report in as well before having access to meetings or work locations. Before school, students who ride the bus are able to enter the school through the east [front] or front gates, and all other students enter through the side [north] gate; these are the two locations how they exit at the end of the school day, following the same pattern as arrival. While school is in session, all visitors and students must enter through the front office door, our single point of entry. Gates and the site perimeter is inspected on a daily basis.

(H) A Safe and Orderly School Environment Conducive to Learning (EC 35294.2)

Component:

Physical Environment

The Schools' Location and Physical Environment

Beattie Middle School is located in the Highland area of San Bernardino County that has an average crime rate and 17.9 % poverty level. The immediate area round the school includes family housing, an elementary school, and businesses. Present safety hazards include large cracks on our blacktop area, where basketball and volleyball courts are located.

Description of School Grounds

The school site encompasses 22.8 acres. The grounds are grass, concrete and asphalt and includes basketball and volleyball courts, baseball diamonds and a lined track. There are several wings and/or clusters of classrooms including 31 classrooms 16 re-locatable classrooms. Other ancillary structures include five 40 foot land/sea containers and one 20 foot land/sea container located on the blacktop west of the Cafeteria and north of the C building [Physical Education locker rooms]..

During the school day, staff members and administrators shall provide campus supervision. Identified problem areas receive increased supervision to reduce discipline, crime, or other school safety concerns.

It shall be the practice of Beattie Middle School to remove all graffiti from school property before pupils arrive to begin their school day. Other acts of vandalism are promptly addressed.

Maintenance of School Buildings/Classrooms

The school's physical facility is well maintained and generally looks neat and clean. The school was most recently painted in 2004 when built and no need to renovated during the school year, and is currently in the process of having its exterior repainted. District personnel periodically examine the school's physical facility and help eliminate obstacles to school safety. Additionally, health and fire department inspectors contribute to school safety.

Daily safety checks of all buildings, classrooms, and facilities help quickly identify areas of concern to be concerned by custodial crew and/or work orders.

Internal Security Procedures

Beattie Middle School has established procedures in the following areas: California Safe School Assessment (CSSA) reporting procedures, suspension and expulsion procedures, inventory system, and single point of entry with Raptor sign in required of all visitors and employees..

Beattie Middle School crime statistics reflect a total of 0 crimes reported during the 2023-2024 school year.

Keeping reportable crimes at a minimum requires constant vigilance. The following strategies will be utilized in achieving this goal: Campus Monitors with assigned areas, Campus Safety Officers, single point of entry, Raptor system for all visitors, and Sprigeo (an anonymous crime reporting website). Whenever crimes or misconduct by students are suspected, we encourage victims and witnesses to notify school officials and other proper authorities by either speaking with a teacher, counselor, administrator, or other school employee, or by making an anonymous report via Sprigeo. Signage is posted throughout campus following the RUSD "See Something, Hear Something, Sense Something, Say Something" campaign and a formal presentation is conducted with all students twice a year to ensure their understanding of the options they have for reporting their concerns. Additionally, if the crime or misconduct is a violation of the law, witnesses, victims, and their parents/guardians are encouraged to notify their respective police agency: San Bernardino County Sheriff's Department, San Bernardino Police Department, or Redlands Police Department. When a situation requires the involvement of the sheriffs' or police department, Beattie Middle School cooperates and supports with all agencies.

Beattie Middle School maintains a copy of the district's sexual harassment policy in the main office/principal's office and the policy is available on request. The District's Sexual Harassment Policy contains dissemination plans, applicable definitions, reporting requirements, investigation procedures, enforcement regulations, and information related to suspension and/or expulsion for sexual harassment of or by pupils. Additionally, a notice summarizing this sexual harassment policy appears in the Parent & Student Handbook. The parent student handbook is distributed at the beginning of each school year to all parents and pupils.

To ensure the safety of pupils and staff, all visitors to the campus, except pupils of the school and staff members, shall register immediately upon entering any school building or grounds when school is in session. District employees, not assigned to Beattie Middle School shall wear appropriate identification badges while on campus conducting business.

Discipline procedures shall focus on finding the cause of problems and working with all concerned to reach the proper, lawful solutions. The school's discipline plan begins at the classroom level. Teachers shall use a visible classroom management plan to communicate classroom rules, promote positive pupil conduct, and reduce unacceptable conduct. Appropriate consequences are administered based on the seriousness of the pupil's misbehavior.

Element:

Opportunity for Improvement:

I. Areas of Pride and Desired Improvements

a. Pride

1. There is a secure, single-point entry of campus during school hours (7:00 A.M. - 4:00 P.M.) All employees and visitors entering campus must sign-in via the RAPTOR system. Campus safety walks, including perimeters and classrooms, are a daily priority. The campus has been divided into four quadrants, with an administrator or campus safety officers (CSO) being responsible for a quadrant for a quarter of a semester before changing routes. All classrooms are visited at least once a day by either an administrator or campus safety officer, and visits are documented via Progress Adviser.
2. We continue to work to ensure that our staff is reminded of, and familiar with, our Disaster Drill protocols and procedures including fire drills, lockdown drills and earthquake drill safety procedures. Drills of various natures and levels of intensity are held throughout the school year, with one drill occurring on a monthly basis.

b. Areas of Desired Improvement

1. Campus monitors, security, and administration have been assigned to various areas on campus for safety checks of all spaces throughout the day. Campus monitors record restroom visits on hard copy documents located in locations near the restrooms (such as custodial closets, which are then also checked as they document restroom visits.) With administration and CSOs documenting via Progress Adviser, it would be beneficial to allow campus monitors to document in the same way; this is an option that would need support from the district level.
2. We would like to see an improved sense of security and familiarity with disaster response drills. Discussions are occurring at the district level to have a consistent approach to simple things such as whether or not to leave a classroom door unlocked and closed during a fire drill. Different safety agencies have differing opinions. In the above example of fire drills, teachers may come from one school where the fire agency suggests the classroom door remain unlocked, while our local fire agency may prefer doors be locked. A consistent district protocol would help prepare teachers at all sites with the same basic expectations.

Objectives	Action Steps	Resources	Lead Person	Evaluation
<p>II. Desired Change #1</p> <p>Daily safety checks are conducted of all spaces and the perimeter of campus throughout the school day and Raptor sign-ins are monitored.</p>	<p>a. Related Strategies and Activities</p> <p>1. Safety check routines and schedules are developed and implemented. Schedules for classroom safety checks have been created for each quarter of the school year, and administration and campus safety officers document visits via Progress Adviser daily. Safety checks occur at unscheduled times to prevent complacency.</p> <p>2. Raptor Reports are routinely run and monitored by office staff to ensure employee and visitor sign-ins.</p>	<p>b. Resources Required</p> <p>1. iPads/Surface Pros have been provided to administration for safety walks. Campus safety officers use their phones and/or iPads to access the Progress Adviser website to document.</p> <p>2. Additional Raptor stations for staff have been added to different campus locations for ease of staff check-in.</p> <p>e. Budget</p> <p>1. iPads for CSOs for safety checks</p> <p>2.</p>	<p>c. Personnel Assignments</p> <p>1. Security, campus monitors, and administration are assigned to campus safety checks in a structured, routine manner that is monitored for implementation.</p> <p>2. Classified office personnel monitor Raptor sign-ins for visitors and staff who are now checking in at different locations</p>	<p>d. Timeframe for completion</p> <p>1. This area of focus has been completed at the start of this school year, and is being monitored this year to determine areas of strength, need, and improvement.</p> <p>2.</p> <p>f. Evaluation criteria</p> <p>1. Daily recording of safety check implementation by administration, campus safety (via Progress Adviser), and campus monitors (via hard copies).</p> <p>2. Raptor Reports to ensure all employees and visitors have signed-in per protocol, monitored by office staff.</p>

Objectives	Action Steps	Resources	Lead Person	Evaluation
III. Desired Change #2 Improved sense of security and familiarity with disaster response drills.	<p>a. Related Strategies and Activities</p> <p>1. Practice all drill types throughout the school year (with prior knowledge of school personnel) to improve response time. Some drills are not announced to determine additional areas of need. Areas of need and debriefs are done with whole staff to ensure familiarity of process.</p> <p>2. A "Go Bag/Folder" has been created and placed in all Administrators offices for emergency responders, and a copy has been provided to the Highland Sheriffs' Department. The "Go Bag/Folder" provides a map that includes location of Knox boxes, fire pull stations, water and electricity shut offs, and roof access points. Also included are overhead pictures to show building numbers on roof, as well as an aerial view of Beattie Middle School and Highland Grove (as an emergency on one campus will effect the other). A list of staff and their prep periods, as well as a classroom map with teacher names, a map of evacuation routes, and cell phone numbers for our administration and campus safety officers are also part of the kit.</p>	<p>b. Resources Required</p> <p>1. Nothing at this time</p> <p>2.</p> <p>e. Budget</p> <p>1. No additional monies are required for this item</p> <p>2.</p>	<p>c. Personnel Assignments</p> <p>1. Security, campus monitors, admin and support staff are assigned roles for drills and a fluid routine is established through radio communication. Members of the administration team have radios for site communication, as well as radios that allow for communication with the district office.</p> <p>2.</p>	<p>d. Timeframe for completion</p> <p>1. Item has been completed at the start of this school year, and is being monitored this year to determine areas of strength, need, and improvement.</p> <p>2.</p> <p>f. Evaluation criteria</p> <p>1. Data collected from drill practice and debriefed with staff and safety committee, especially from unannounced drills (to help eliminate complacency).</p> <p>2.</p>

Component:
School Climate

The School's Social Environment

Leadership at Beattie Middle School is a shared process. A proactive role is assumed in all phases of the school operation. The current management team is committed to developing Beattie Middle School toward excellence in the areas of academic and social behavior.

The principal sets a positive tone for the school, guides the staff and works closely with them on curriculum and school safety issues. The school site's organizational structure is open and flexible contributing to sensitivity concerning school safety issues and promoting a safe, orderly school environment conducive to learning.

Disaster Procedures, Routine and Emergency

A contingency plan for emergencies is contained in a handbook available to each staff member. The District's Emergency Response Plan - (ERP Plan) is listed at the last section of this plan. The plan is reviewed at the beginning of each school year. This plan also contains available district and outside agency resources, emergency disaster procedures and information on Standardized Emergency Management System (SEMS).

Classroom Organization and Structure

Beattie Middle School teachers provide a varied learning environment in their classrooms. Teachers use a variety of teaching strategies including: EL strategies such as sentence frames, visual presentations and vocabulary support as well as targeted support in English classes, Direct Instruction strategies, Thinking Maps, scaffolding, Universal Design for Learning, hands-on activities to extend thinking, and DOK questioning strategies. All classrooms now have Newline boards to assist with classroom learning and with student collaboration for classroom activities and presentations.

The teachers at Beattie Middle School are highly qualified, with many teachers holding advanced degrees. The staff is united in their desire to provide quality education for all pupils. Classrooms and teachers provide a safe, orderly learning environment, enhance the experience of learning, and promote positive interactions among pupils and staff. Instructional time is maximized and disruptions are minimized.

The School's Cultural Environment

There is a high level of cohesiveness among the staff members at Beattie Middle School. Cooperation and support between teachers and the administration is evident. Efforts are made by the administration and staff to show concern for all pupils.

All pupils are expected to behave in a manner that promotes safety and order. Pupils are encouraged to bring problems to the principal, assistant principal, counselor, teacher or other staff members. The everyday goal is for the staff to be proactive rather than reactive in all situations of concern.

The academic and behavioral efforts of pupils are recognized and rewarded.

Cultural diversity is celebrated throughout the year through classroom activities and lessons, Black History Month activities, Women's History Month activities, Hispanic Heritage Month activities, SEL lessons on Wellness Wednesdays, and WEB classes/activities. An Equity Team (comprised of certificated and classified staff, as well as a community member) has been working with the District Office's Equity and Diversity Program and Coordinator, Juanita Watkins (replacing her will be Nache Thompson) throughout most of the 2023-2024 school year to help identify specific equity concerns on our school campus.

Element:

Goal 2:

Increase the use of PBIS strategies to maintain a favorable school climate rating from both students and parents.

Opportunity for Improvement:

I. Areas of Pride and Desired Improvements

a. Areas of Pride

1. Beattie Middle School has implemented (during the 2023-2024 school year) common school language using three main principles of "Be Respectful! Be Responsible! Be Safe!" to support students with positive behavior interventions; this continues to be an on-going practice.

2. Beattie Middle School has implemented (during the 2023-2024 school year) school-wide Social Emotional Learning and Restorative Practices to support students in their mental well-being; this continues to be an on-going practice. This has led to increased restorative conversations among students, which has helped to lessen tensions and misunderstandings when there is a student conflict.

3. Beattie Middle School has implemented a school-wide token system called Bobcat Sighting Cards which focuses on praising and recognizing students who are exhibiting behaviors aligned with the common school language. Students are able to purchase items from the student store using their Bobcat Sighting cards, as well as monthly prizes for selected students.

b. Areas of Desired Improvement

1. Continued and ongoing incorporation of common school language in all conversations to ensure all students (and staff) know expectations for school behavior.

2. Continued to develop SEL lessons and increase implementation of SEL (Social Emotional Learning) activities through site counselor classroom visits, and restorative conversations and circles to help reduce disciplinary concerns.

3. Increase the use of technology (such as SWIS) to track student behavioral data, analyze data, and utilize these data to make adjustments to PBIS strategy implementation.

Objectives	Action Steps	Resources	Lead Person	Evaluation
<p>II. Desired Change #1 Continue to strengthen incorporation of common school language to ensure all students know expectations for behavior.</p>	<p>a. Related Strategies and Activities 1. Updated school principles and language ("Be Respectful! Be Responsible! Be Safe!") are being used with staff and students to maintain relevancy and support implementation; posters with school principles and expectations have been placed around campus, and these posters can be found in every classroom, restroom, and hallway, and can be referred to when speaking with students 2. "Bobcat Sighting" cards are handed out to students (as well as staff) for promoting positive behavior. Cards have even been handed out to parents who have been caught doing positive things to help promote the sense of "Be Respectful! Be Responsible! Be Safe!" among our parents, who are also part of our school community.)</p>	<p>b. Resources Required 1. Nothing more at this time c. Budget 1. Character Education budget have been used to update posters/banners throughout campus, as well as for purchasing student incentives.</p>	<p>d. Personnel Assignments 1. These opportunities and expectations apply to all staff members in their daily interactions with students.</p>	<p>e. Evaluation criteria 1. Data from Kelvin Pulses given throughout the school year. 2. Parent and student self-reports f. Timeframe for completion 1. Areas of strength, needs, and support will be reviewed throughout the school year as we begin the implementation of our new common school language</p>

Objectives	Action Steps	Resources	Lead Person	Evaluation
III. Desired Change #2 Continued to develop SEL lessons and increase implementation of SEL (Social Emotional Learning) activities through site counselor classroom visits, and restorative conversations and circles to help reduce disciplinary concerns.	a. Related Strategies and Activities 1. Counselors visit classrooms to support teachers in implementing classroom lessons surrounding SEL topics; 2. Administration and counselors hold restorative conversations (and circles, when needed) to help reduce disciplinary concerns; restorative conversations are held for minor disciplinary issues, as well as following suspensions	b. Resources Required 1. Continued access to Character Strong website, InnerExplorer app, and other SEL materials 2. Restorative Practices training/re-training for administration and counselors c. Budget 1. None at this time 2.	d. Personnel Assignments 1. Teachers, security, counselors 2. Counselors and administration	e. Evaluation criteria 1. Data from Kelvin Pulses given throughout the school year. 2. Parent and student self-reports f. Timeframe for completion 1. Beginning at start of 2024-2025 school year; this focus area will be monitored for needs, strengths, and areas of support and growth
IV. Desired Change #3 Increase the use of technology (such as SWIS, 5-Star Digital Tracking system) to track student behavioral data, analyze data, and utilize these data to make adjustments to PBIS strategy implementation.	a. Related Strategies and Activities 1. Continued to provide ongoing training to staff related to the use of SWIS to track student behavior. 2. Train staff on the use of the SWIS system check-in-check-out tool which may be used as a Tier 2 or 3 support for students. 3. A plan has been developed for implementation of the 5-Star Digital Tracking System for staff	b. Continued access to SWIS and 5-Star Digital Tracking System	c. Personnel Assignments 1. Teachers, security, counselors, administrators, support staff	d. Evaluation criteria 1. Data from Kelvin Pulses given throughout the school year. 2. Parent and student self-reports 3. Data review from SWIS and 5 Star Digital Tracking system e. Timeframe for completion 1. Beginning at start of 2024-2025 school year; this focus area will be monitored for needs, strengths, and areas of support and growth

(I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5)

Beattie Middle School Student Conduct Code

Procedures to Ensure a Safe and Orderly Environment

Rules and Procedures on School Discipline

Philosophy of Discipline

- Behavior expectations and the consequences for not meeting expectations must be clearly communicated to all students and their parents (in writing as well as verbally).
- The severity of consequences for violating behavior expectations increases with each incident of inappropriate behavior.

- The consequences for violating behavior expectations should be severe enough to discourage students from making poor behavior decisions.
- Expectations and consequences should permit students an opportunity to eliminate inappropriate behavior.

Additionally, the school staff recognizes that the middle school years are a transition time from adolescence to young adulthood. As a part of this transition, the student is given greater opportunities to be responsible and demonstrate independence and good judgment. The structure of our behavior expectations (in the classroom as well as school wide) is meant to encourage students to be responsible. The first step in many instances of inappropriate behavior (those considered to be "minor") is a simple warning ("Your behavior is unacceptable. Please stop such behavior"). It is only when a student ignores such warnings and continues to choose to act irresponsibly (like a child rather than an emerging adult) that we involve parents and implement consequences.

Elements of a Good Discipline Program

1. The program is focused upon making the entire campus, especially the classroom, a safe, supportive and orderly environment for learning for students and staff.
2. Classroom authority is retained by the classroom teacher. (Administration's role is to support, not to replace.)
3. Rules and procedures are clearly understood by staff and students.
4. All staff members will acknowledge and take appropriate action on any minor or major infraction of the school rules.
5. Rules and procedures comply with State Law and District policies.
6. The program recognizes the responsibilities and the rights of students and staff.
7. Program is structured to keep students in class and engaged in the educational process.
8. Rules are enforced:
 - A. by all staff members at all times.
 - B. strictly, but not rigidly (beware of "automatics").
 - C. in substantial part by adult modeling.
 - D. using techniques that promote the growth of positive self-esteem.
 - E. as close to the source as is possible.
 - F. by keeping parents informed.
9. The discipline program is understood, endorsed, and supported by staff, parents, and students.

PRINCIPAL'S STATEMENT TO EDMS STAFF

Expectations in Developing & Maintaining Discipline

As Principal of our school, I will expect;

Each teacher to have a defined system of classroom management. A written description of this system, including representative examples of the progressive interventions you intend to employ, will be approved and filed by me. Whenever possible and appropriate, teachers are encouraged to use standards and systems that are consistent with other village/department members.

You can expect

Each administrator to assist and support you in every reasonable way in developing, implementing, and refining that system as needed.

I will expect

That when you refer a student for discipline:

1. The student has been made fully aware of classroom and school rules and knows what rules he/she has violated.
2. Teachers within a village will discuss any continuing behavior problems and schedule a team conference with the student and parents when appropriate.
3. That information will be provided on the referral regarding previous actions you have taken regarding this specific issue.
4. You have exhausted the interventions at your disposal (i.e., you have done everything you can do) and you have followed the guidelines established by the administration and staff on what constitutes an appropriate behavior referral.
5. The behavior was so serious or so blatant as to make immediate removal from the classroom necessary.
6. The written referral will be explicit in stating the offense(s).
7. You will send the student out of class with a referral only if his/her continued presence in the class would disrupt or prevent teaching and/or learning.
8. If necessary, the referral will be delivered to the office at a time convenient to the staff member so that the issue may be handled most efficiently, causing a minimum of lost class time.

You can expect

1. Each administrator to support your position in every reasonable way.
2. A response time on your referral of one, or at most, two days.

3. The availability of an administrator to discuss unresolved referrals after school on any given day.
4. That the administrator will exercise independent judgment regarding disposition of referrals.

I will expect

1. That each teacher will go to the doorway of his/her classroom after each class period as often as possible and assume control of student behavior in the corridor.
2. That each staff member will hold students accountable for their behavior on the school grounds at all times.

You can expect

1. Administrator support, investigation, and follow-through as indicated.
2. A response to referrals from incidents outside the classroom to be the same as to those within.

Kimberly Lium
Principal

WHAT TO DO WHEN PROBLEMS APPEAR

Both behavioral and academic problems are present in some of our students. Teachers often ask for guidelines for dealing with these problems. Here they are:

1. Talk to the administrator assigned to your grade level.
2. Call parents at first sign of concern. Inform the parents of your observations, ask for their ideas, assistance, and support in serving the student. Keep a log of your calls.
3. If possible, talk privately to the student about your concerns.
4. Behavior concerns—look through students' CUM file. Any official suspensions will be in file, also look for teacher comments on report cards. Look for patterns of behavior. We use In-House Suspension whenever possible, as it is preferable to having students at home unattended—and it saves the district money. Serious infractions (fighting, threats, etc.) do result in official suspension. Unresponsive students can be moved to other schools or expelled.
5. Referrals—please remember if you write a student referral, you are required to call the parents. You are writing the referral and can answer the parents' questions firsthand. Administrators will also call parents, but we can only give secondhand information on the incident.
6. Academic Concerns—again, look through student CUM. This will contain test scores, report cards, and a student history. You may want to ask the grade level administrator to schedule a Student Study Team (SST). This will involve a meeting with the student, parents, administrators, students' teachers, and perhaps the psychologist

Conduct Code Procedures

(K) Hate Crime Reporting Procedures and Policies

(K) Hate Crime Reporting Procedures and Policies

Redlands Unified School District maintains an anonymous tip line where students are encouraged to report vandalism, graffiti, or other crimes. The phone number is: 1-800-78-CRIME or www.wetip.org Families may also use the Sprigeo app to report safety related

concerns to themselves, other students, or the campus.

BULLYING/ HATE CRIME / HARASSMENT / INTIMIDATION / RELATIONAL AGGRESSION can all be reported by using the 1-800-78-CRIME or the SPRIGEO app. If a student believes they or another student is being bullied or harassed, they should report it to a counselor, administrator, or safety officer. Students will be encouraged to fill out the Redlands Unified School District Bullying/Harassment form for ongoing issues. Each report will be investigated, and students will be referred to their counselor for support/resolution.

The Redlands Unified School District Board of Education has established the following: "No student or group of students shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any other student or school personnel." Those who choose to bully will be disciplined according to district policy and the California Education Code. (48900)

(J) Procedures to Prepare for Active Shooters

Beattie Middle School utilizes a Safe & Secure Mode as a security procedure used to reduce student and staff movement outside school buildings. This may be due to a medical emergency, area disturbance, active shooter etc. It is designed to allow for school to carry forward but have the ability to move to Lockdown quickly if needed. During the Safe & Secure mode, there is heightened vigilance on campus by all school staff. Generally, recesses and outdoor activities are reduced. Parents/guardians can have access to their student(s) and may check them out of school if they see fit to do so.

- o Teachers should continue teaching as normal
- o Allow students restroom use with clear administrator/ teacher direction
- o Increased available staff presence during passing periods and student dismissal
- o Lunch/activities in more secure area, unless site admin decides otherwise
- o Standard inclement weather schedule/routine in place, unless site administrator/designee decides otherwise
- o Perimeter gates, where applicable, will be locked and monitored by available staff, allowing for central access points
- o PE classes will be moved off all fields into more secure locations (e.g., gym, class, & MPR)

Lock Down is called when a law enforcement event is happening in the vicinity of a school. The law enforcement agency generally, but not always, contacts the school/district to encourage the school site to Lock Down as a precautionary measure. All Administrators are expected to place their school in Lock Down in this scenario.

- o Take a look outside your classroom and gather up any stray students in the hallways
- o Ensure that your door is locked
- o If windows are open, close them
- o Project a calm demeanor to help students remain calm. Reassure students that they are safe
- o Do not allow anyone to leave the classroom
- o Frequently check your emails for possible updates from your site administrators
- o If students are out on the playground or athletic fields, quickly move them to a secure classroom, locker room, or multi-purpose room

Critical Alert is called when a significant, threatening event is happening on campus or adjacent to campus that creates a potential danger to students and staff. While this may be communicated to the school by law enforcement, it may also be determined by school officials on the scene. Critical Alert assumes that everyone is prepared for a potential significant threat/event on campus.

- o Implement all items from Lock Down list above
- o Turn off or reduce lighting, so it will appear that the room is vacant
- o Keep all students sitting on the floor, away from the door or windows
- o Do not look out the windows
- o Cover window on the door (if one exists)
- o Advise the students that there is a serious situation, but you don't know what it is. Project a calm demeanor to help students remain calm. Reassure students that they are safe
- o Ensure that everyone in the room turns the ringer off on their cell phones
- o Do not allow students to talk on their cell phones (keep room as quiet as possible)
- o Do not call the office. They are in the midst of a problem and will not be able to answer all the calls which may tie up the phone system
- o Quietly take roll and make a list of missing students and any extra students that are in your room. Email this list to your administrators and school site secretaries
- o Do not evacuate students until you are told to, even if the fire bells go off. If, in fact, there is a need for a fire evacuation, you will be notified via the PA system, email, or phone call
- o Do not open the door, even if someone knocks and claims to be a staff member (Administrator/custodian will have a master key)
- o If students are out on the PE field, do not return them to the locker room. Move them to a safe place (the farthest part of the campus)

Procedures for Preventing Acts of Bullying and Cyber-bullying**BULLYING / HARASSMENT / INTIMIDATION / RELATIONAL AGGRESSION**

Bullying can be defined as the use of intimidation, aggression, and/or cruelty with the result of hurting another person. Bullying carries the ramification of causing pain and stress to the victim. Bullying is never justified and is not excusable as “kids being kids,” “just teasing” or any other rationalization. Specific types of bullying may include, but is not limited to: physical, verbal, mental/emotional, racist/intolerant, and sexual. It may also include the use of social networks and cell phones. If a student believes they or another student is being bullied or harassed, they should report it to a counselor, administrator, or safety officer. Students will be encouraged to fill out the Redlands Unified School District Bullying/Harassment form for ongoing issues. Each report will be investigated, and students will be referred to their counselor for support/resolution.

The Redlands Unified School District Board of Education has established the following: “No student or group of students shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any other student or school

Safety Plan Review, Evaluation and Amendment Procedures

Safety Plan is reviewed by Safety Committee comprised of staff, law enforcement/parent, and administration
Plan is then reviewed by School Site Council and approved
Staff is then given copy of Safety Plan for their review.

Amendments can be done through School Site Council should either a parent or staff member point out an item to be reviewed.

Emergency Response Guidelines

Step One: Identify the Type of Emergency

Determining the type of emergency will assist the commander/administrator in making the appropriate decision to keep the campus safe. The response to a fire is drastically different than responding to an active shooter. the type of emergency may lead to evacuation, shelter in place, or lockdown as well as which agency to contact.

Step Two: Identify the Level of Emergency

Determine the size and immediacy of the emergency will determine the level. The site leader will determine if it is a classroom only, a building only, an area only (ie. playground), the whole school, etc.

Step Three: Determine the Immediate Response Action

With safety of staff and students in mind, site administration will determine immediate response based on protocol for the specific emergencies.

Step Four: Communicate the Appropriate Response Action

Administrators/Commanders will communicate to the necessary emergency responders via phone. Administrators/Commanders will utilize a variety of communication tools to notify staff and emergency participants such as: the bell system, intercom system, emails, the Raptor app. Site administrators will communicate with the district office staff via the emergency radio. Communication with families will be done via social media, the site website, Aeries communication, Parent Square.

Types of Emergencies & Specific Procedures

Earthquake

Earthquake Emergency

You should follow the evacuation routes as described on the Beattie Middle School Earthquake Evacuation map below

In the event of an earthquake, you will need to declare a Stage 2 Emergency within your classroom and implement the following procedures:

What to Do:

- 1) Drop, Cover, and Hold - Please be sure to discuss this with your students before drills in anticipation of a major earthquake. You can use the flyers below to model appropriate technique.
- 2) Line Up - When the tremors subside and you believe it is safe to begin the evacuation process, ask your students to walk to the door to form an orderly line for evacuation purposes.
- 3) Evacuate - Do not wait for an all-call system, as we will likely have lost power. Use your own judgment or listen for directions. Students should move to the designated Earthquake Emergency Evacuation Area in a silent, straight line.

When you leave your classroom, please follow these steps:

Bring your attendance roster, emergency backpack, and bucket

Leave your classroom door OPEN

Take attendance using Raptor once you are safely away from the building. Please account for yourself and students and provide your location.

(If we do not have access to Raptor, or if there is a substitute, s/he will be able to take roll with the rosters that are in the Emergency bucket, and they will be able to complete the Emergency Status Report form once safely away from the building.)

- 4) All Clear - The "All Clear" notification will be given by a Beattie Middle School administrator via Raptor, bullhorn/portable speaker, and/or student runners, and will include instructions on how/where teachers and their students should proceed next.

Beattie Middle School Evacuation Map
DropCoverHoldOnFlyer
Protect Yourself During Earthquakes
Beattie Middle School Emergency Status Report

Fire in Surrounding Area

Fire Emergency

You should follow the evacuation routes as described on the Beattie Middle School Evacuation map below.

Signal: Fire alarm will sound in all classrooms

Repeated horn sound in rapid succession

What to Do:

- 1) Explain - Explain to your students what the horn or announcement means
- 2) Line Up - Ask your students to walk to the door to form an orderly line for evacuation purposes
- 3) Evacuate - Students should move to the designated evacuation area in a silent, straight line

When you leave your classroom, please follow these steps:

Bring your attendance roster, emergency backpack, and yellow bucket

Close your classroom door to prevent spread of fire; leave door locked

Evacuate to the appropriate evacuation/staging area

Take attendance using Raptor once you are safely away from the building. Please account for yourself and students and provide your location.

(If we do not have access to Raptor, or if there is a substitute, s/he will be able to take roll with the rosters that are in the Emergency bucket, and they will be able to complete the Emergency Status Report form once safely away from the building.)

- 4) All Clear - The "All Clear" notification will be given by a Beattie Middle School administrator via the school PA system, Raptor, and/or blacktop announcement, and will include instructions on how/where teachers and their students should proceed next

Beattie Middle School Evacuation Map
Beattie Middle School Emergency Status Report

Fire on School Grounds

Fire Emergency

You should follow the evacuation routes as described on the Beattie Middle School Evacuation map below.

Signal: Fire alarm will sound in all classrooms

Repeated horn sound in rapid succession

What to Do:

- 1) Explain - Explain to your students what the horn or announcement means
- 2) Line Up - Ask your students to walk to the door to form an orderly line for evacuation purposes
- 3) Evacuate - Students should move to the designated evacuation area in a silent, straight line

When you leave your classroom, please follow these steps:

Bring your attendance roster, emergency backpack, and yellow bucket

Close your classroom door to prevent spread of fire; leave door locked

Evacuate to the appropriate evacuation/staging area

Take attendance using Raptor once you are safely away from the building. Please account for yourself and students and provide your location.

(If we do not have access to Raptor, or if there is a substitute, s/he will be able to take roll with the rosters that are in the Emergency bucket, and they will be able to complete the Emergency Status Report form once safely away from the building.)

4) All Clear - The "All Clear" notification will be given by a Beattie Middle School administrator via the school PA system, Raptor, and/or blacktop announcement, and will include instructions on how/where teachers and their students should proceed next

Beattie Middle School Evacuation Map

Beattie Middle School Emergency Status Report

Pandemic

Blood Borne Pathogen Incident Reporting Form and Exposure Control Plan

Policy 5141.22: Infectious Diseases

The Governing Board desires to protect students from risks posed by exposure to infectious diseases while providing an appropriate education for all students.

The Superintendent or designee shall determine whether to admit a student with an infectious disease, and shall exclude students only in accordance with law. In making this determination, he/she shall consult the student's parents/guardians, the student's physician and/or the county health department, in accordance with law and consistent with confidentiality provisions. Because bloodborne pathogens such as hepatitis B virus, hepatitis C virus and human immunodeficiency virus (HIV) are not casually transmitted, the sole presence of bloodborne pathogens is not sufficient reason to exclude students from attending school.

cf. 5112.2 - Exclusions from Attendance)

(cf. 5141.26 - Tuberculosis Testing)

(cf. 5141.3 - Health Examinations)

(cf. 6158 - Independent Study)

(cf. 6159 - Individualized Education Program)

(cf. 6183 - Home/Hospital Instruction)

Parents/guardians are encouraged to inform the Superintendent or designee if their child has an infectious disease so that school staff may work cooperatively with the student's parents/guardians to minimize the child's exposure to other diseases in the school setting. The Superintendent or designee shall ensure that student confidentiality rights are strictly observed in accordance with law. No district employee shall release medical information, including knowledge of a bloodborne pathogen infection, without written consent from the parent/guardian or adult student. Such information shall be shared only with those persons specifically named in the written permission.

(cf. 5125 - Student Records)

(cf. 5022 - Student and Family Privacy Rights)

The Board requires students and staff to routinely observe universal precautions to prevent exposure to bloodborne pathogens and to prevent the spread of all infectious disease.

cf. 4119.42/4219.42/4319.42 -Exposure Control Plan for Bloodborne Pathogens)

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)

(cf. 5141.23 - Infectious Disease Prevention)

The Superintendent or designee shall ensure that the district's health education program provides information about the nature of bloodborne pathogens and their transmission.

(cf. 5141.6 - Student Health and Social Services)

(cf. 6142.2 - Sexual Health and HIV/AIDS Prevention Instruction)

(cf. 6142.8 - Comprehensive Health Education)

Blood Borne Pathogens - Safety Practices

Procedures and Regulations

1. General

1.1 While recognizing that both students and employees diagnosed with an infectious blood borne disease are entitled to a confidential relationship between themselves, the medical community and/or other agencies, the Board of School Trustees encourages these individuals to meet with the School Principal and/or Superintendent of Schools to discuss their disease and immediate and future needs.

1.2 Assessment

2. Students:

2.1. The Superintendent (or designate) will be informed, by the school principal as soon as is known, of any student infected with an infectious blood borne disease.

2.2. A Risk Assessment will be conducted using a team approach including the personal physician, public health personnel, the parent or guardian, and school district personnel as appropriate and will make recommendations about the type of educational and care setting based on the following:

- a. Behavior, neurological development and physical condition of the child;
- b. Type of interaction expected with others.
- c. What the potential is for exposure
- d. Areas for potential for exposure
- e. How exposure may happen
- f. Who needs to know?
- g. What will happen if there is a risk of exposure?

2.3. The team will consider the risk to others in the workplace, whether or not the individual is healthy enough to continue to attend school, and what precautions should be taken to ensure the safety and health of others.

a. The identity of infected students will remain confidential and restricted to those who need to know or are required to be informed.

2.4. Decisions on attendance at school are dependent on the circumstances of each individual case. Regular evaluation of the appropriateness of attendance will be conducted.

2.5. The Board will be notified immediately when the team considers the health condition of a student to be a danger to the immediate health and welfare of a school, its students or employees of the Board.

a. Upon being notified of the team's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

3. Employees

3.1. The Superintendent will be informed, by district staff as soon as is known, of any employee infected with an infectious blood borne disease.

3.2. Employees with an infectious blood borne disease, who are able to carry out the essential duties of their jobs in a satisfactory manner without posing a health or safety risk to themselves or others, will be entitled to continue their work.

3.3. Decisions regarding potential health or safety hazards will be made on a case-by-case basis in consultation with the employee, the personal physician and district personnel as appropriate.

3.4. The identity of infected employees will remain confidential and restricted to those who need to know or are required to be informed.

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a. Upon being notified of the Superintendent's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

4. Hygienic Safety Practices

4.1. All employees will follow "Universal Infection Control Precautions" by assuming that blood and other body fluids from all individuals are potentially infectious. These precautions include:

- a. Routinely using gloves when anticipating contact with blood
- b. Immediately washing hands and other skin surfaces after removal of gloves and/or contact with blood

4.2. Schools will be provided with appropriate protective equipment including disposable waterproof gloves (natural rubber latex, neoprene, nitrile, or vinyl), tongs or pliers and proper sharps containers.

4.3. Schools' medical room mattresses will be either vinyl-coated beds or cloth mattress with a protective vinyl (plastic) covering so that they can be cleaned as needed with a bleach solution.

4.4. Blankets can be cleaned as needed by forwarding them, in a clearly labeled plastic bag, to the Assistant Supervisor Operations at the Facilities Office.

5. Universal Precautions

5.1. Universal Precautions to prevent transmission of blood-borne disease will be followed. Universal Precautions is the term for infection control measures endorsed by the Canadian Centre for Occupational Health and Safety for workers who might come into contact with blood and other body fluids. In summary they include:

- a. Wash hands for 30 seconds after contact with blood and other body fluids contaminated with blood.
- b. Wear disposable latex gloves when you encounter blood, body fluids, or when cleaning cuts, scrapes or wounds. Wash your hands as soon as you remove your gloves. Dispose gloves in a plastic bag.
- c. Use disposable absorbent material like paper towels to stop bleeding.
- d. Discard bloodstained material in a sealed plastic bag and deposit in the garbage. Label as containing blood-tainted material.
- e. Cover cuts or scrapes with a bandage until healed.
- f. Immediately protect staff and students from coming in contact with blood-soiled surfaces. The area must be disinfected with a fresh solution of one part bleach and nine-parts water (10% bleach solution).

Mops or brushes used for cleaning should be soaked in a bleach solution for 20 minutes.

(Note: The custodial department will provide each school with the product for dissolving in water to provide the bleach solution.)

6. Identification of Risks of Occupational Exposure

6.1. In accordance with the Occupational Health and Safety Regulations (section 6.35), the district's Health & Safety Coordinator will develop and maintain a list of positions and/or tasks and procedures where there is a potential for occupational exposure to a blood borne pathogen.

6.2. Employees who have, or may have, occupational exposure to the hepatitis B virus, will upon request, receive a hepatitis B vaccination (section 6.39, OH&S Regs).

6.3. Employees who may have been exposed to a blood borne pathogen in an exposure incident will be advised to immediately seek medical attention

Blood Borne Pathogen Incident Reporting Form and Exposure Control Plan

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(cf. 5141.26 - Tuberculosis Testing)
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CLEMENT MIDDLE SCHOOL

501 East Pennsylvania Avenue, Redlands CA 92374 (909)307-5400

Natalie Johnson
Principal






Todd Harris
Asst. Principal

Sujana Herrera
Asst. Principal

Clement Middle School Safety Committee

Sign-In Sheet

8/30/2024

<u>Name</u>	<u>Role</u>	<u>Signature</u>
<u>Todd Harris</u>	<u>Assistant Principal</u>	
<u>Courtney Dawson</u>	<u>Parent</u>	
<u>Charis Robbins</u>	<u>Teacher</u>	
<u>Elizabeth Riley</u>	<u>Teacher</u>	
<u>Eddie Rocha</u>	<u>Lead Campus Safety Officer</u>	

The entire team has reviewed and approved the Comprehensive Safe School Plan for Clement Middle School for the 2024-2025 school year.

Comprehensive School Safety Plan

**2024-2025
School Year**

School: Clement Middle School
CDS Code: 36-67843-6059414
District: Redlands Unified School District
Address: 501 E. Pennsylvania Avenue
Redlands, CA 92374
Date of Adoption: October 24, 2023
Date of Update: August 30, 2024
Date of Review:
- with Staff
- with Law Enforcement
- with Fire Authority

Approved by:

Name	Title	Signature	Date
Todd Harris	Assistant Principal		
Courtney Dawson	Parent		
Charis Robbins	Teacher		
Elizabeth Riley	Teacher		
Eddie Rocha	Lead Campus Safety Officer		

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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 501 E. Pennsylvania ave, Redlands, CA 92374.

Safety Plan Vision

Clement Middle School will provide a safe, orderly, and secure environment conducive to learning.

Clement Middle School will create a school in which pupils will attend regularly and be safe from both physical and social-psychological harm.

Clement Middle School will work collaboratively with the district office and school board to identify, establish and use strategies and programs to comply with school safety laws.

Clement Middle School will develop a plan to work cooperatively and collaboratively with parents, pupils, teachers, administrators, counselors and community agencies, including law enforcement, to provide a safe and orderly school and neighborhood.

Clement Middle School will develop an academic program that will focus on high expectations of pupil performance and behavior in all aspects of the school experience.

Clement Middle School will work collaboratively with other elementary, middle schools and high schools to assist in a smooth transition from one school level to another.

Clement Middle School will solicit the participation, views, and advice of teachers, parents, school administrators, and community members and use this information to promote the safety of our pupils, staff and community.

Components of the Comprehensive School Safety Plan (EC 32281)

Clement Middle School Safety Committee

Assessment of School Safety

Whenever crimes or misconduct by students are suspected, we encourage victims and witnesses to notify school officials and other proper authorities by either speaking with a teacher, counselor, administrator, or other school employee or making an anonymous report via WeTip (1-800-782-7463) or the Sprigeo App. Additionally, if the crime or misconduct is a violation of the law, witnesses, victims, and their parents/guardians are encouraged to notify Redlands Police Department (909-798-7681) or the San Bernardino County Sheriff's Department (909)884-0156.

Strategies and Programs to Provide and Maintain a High Level of Safety (EC 32281(a)1, items A-J)

Introduction - School Profile

Clement Middle School is one of twenty-four schools in the Redlands Unified School District with traditions dating back to 1964. Clement Middle School has a diverse pupil student body and is served by a dedicated staff. Both staff and parents comment on the positive changes that are ongoing in our school.

Clement Middle School faces challenges in maintaining a safe school. This section of the Comprehensive School Safety Plan will describe programs in place at our school as well as strategies and programs of our school site council for continued improvement in providing a safe, orderly, school environment conducive to learning.

School Crime Status and Reporting

Whenever crimes or misconduct by students are suspected, we encourage victims and witnesses to notify school officials and other proper authorities by either speaking with a teacher, counselor, administrator, or other school employee or making an anonymous report via WeTip (1-800-782-7463) or the Sprigeo App. Additionally, if the crime or misconduct is a violation of the law, witnesses, victims, and their parents/guardians are encouraged to notify Redlands Police Department (909-798-7681) or the San Bernardino County Sheriff's Department (909)884-0156.

Personal Characteristics of Pupil & Staff

(Additional Health and Welfare Data available from ICOE aggregated DAT surveys)

Clement Middle School has an enrollment of 1,044 pupils in grades 6-8. Pupils from this school come from families with average family mobility. Approximately 0% of the pupils are in families receiving Aid to Families with Dependent Children that are eligible for free/reduce lunches. The ethnic makeup of the pupil population is 62.79 % Hispanic, 6.82 % Black, 17.85 % Caucasian and 6.72% Asian/Pacific Islander. Our pupils have a variety of life experiences. Some pupils have recently arrived from foreign countries while others have never left their neighborhood.

Curriculum and Educational Activities

The course of study includes the basic core curriculum, physical education and enrichment classes such as ASB/Leadership, Drama, Yearbook, Garner Holt AniMakerspace, CTE Manufacturing, Band and Orchestra..

Pupils have the opportunity to participate in noon and after-school activities. These include Drama, Intramural sports, ASB/Leadership, Band (Beginning Advanced, Orchestra, Jazz), Yearbook/Journalism, Broadcasting, CJSF, and RSCL Sports (Volleyball, Softball, Soccer, Basketball) with a boys and girls team for each sport. Teachers offer after-school tutoring (Viking After School Tutoring VAST), and grade level Intramurals during lunch. ASES programs are offered after school and ELOP (Extended Learning Opportunities Program is also available to students among others..

Staff provides opportunities and additional activities open to pupils in the areas of Homework help and support, tutoring, Intramural sports, RSCL sports, PE, ELOP, clubs, and social interaction/community support..

(A) Child Abuse Reporting Procedures (EC 35294.2 [a] [2]; PC 11166)

Policy 5141.4: Child Abuse Prevention and Reporting

The Governing Board recognizes that the district has a responsibility to facilitate the prompt reporting of incidents of child abuse and neglect. The Superintendent or designee shall ensure that parents/guardians have access to procedures whereby they can report suspected child abuse at a school site to appropriate child protective agencies

The Superintendent or designee shall develop and implement regulations for use by employees in identifying and reporting child abuse

District employees shall report known or suspected incidents of child abuse in accordance with district regulations and state law. Employees shall cooperate with the child protective agencies responsible for reporting, investigating and prosecuting cases of child abuse.

(cf. 4112.9 - Signed Statements/Child Abuse Reporting Statements)

The Superintendent or designee shall provide training in child abuse identification and reporting for all certificated and classified personnel. (Penal Code 11165.7)

All employees trained in child abuse identification and reporting shall be given, as a part of that training, written notice of the child abuse reporting requirements and the employees' confidentiality rights. (Penal Code 11165.7)

In order to reduce or eliminate unfounded child abuse accusations directed at school employees, child abuse in service training shall include guidance in disciplining students and maintaining ethical relationships with them.

(cf. 3514 - Safety)

(cf. 5142 - Safety)

Duty to Report

Certificated employees and classified employees trained in child abuse identification and reporting shall report known or suspected child abuse to a child protective agency by telephone immediately or as soon as practically possible and in writing within 36 hours. The reporting duties are individual and cannot be delegated to another individual except under circumstances set forth in Penal Code 11166.

Definitions

Child Abuse includes the following:

1. A physical injury inflicted by other than accidental means on a child by another person.
2. Willful cruelty or unjustifiable punishment of a child, or willfully inflicting unjustifiable physical pain or mental suffering, or failure to safeguard a child from these injuries when the child is under a person's care or custody
3. Sexual abuse of a child
4. Neglect of a child or abuse in out-of-home care
5. Unlawful corporal punishment or injury resulting in a traumatic condition

Mandated Reporters are those people defined by law as child care custodians, health practitioners, child visitation monitors and employees of a child protective agency. Mandated reporters include virtually all school employees. The following school personnel are required to report:

Teachers, administrators, supervisors of child welfare and attendance, certificated student personnel employees, employees of care institutions, Headstart teachers, school psychologists, licensed nurses, counselors, presenters of child abuse prevention programs and those instructional aides or other classified employees trained in child abuse reporting.

Child Protective Agencies are those law enforcement and child protective services responsible for investigating child abuse reports, including the local police or sheriff department, county welfare or juvenile probation department and child protective services.

Reasonable Suspicion means that it is objectively reasonable for a person to entertain such a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his/her training and experience, to suspect child abuse. (Penal Code 11166)

Reporting Procedures

To report known or suspects child abuse, any employee (as defined above) shall report by telephone to the local child protective agency immediately. (Child Protective Services 921 County Center, 3 Court, Modesto, CA phone # 525- 6641)

The following information shall be given:

1. The name of the person making the report
2. The name of the child
3. The present location of the child
4. The nature and extent of any injury

Any other information requested by the child protective agency, including the information that led the mandated reporter to suspect child abuse.

When the verbal 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.

Within 36 hours of making the telephone report, the mandated reporter shall complete and mail to the local child protective agency a written report which includes a completed Department of Justice form (DOJ SS 8572).

Mandated reports may obtain copies of the above form either from the district or local child protective agency.

Instructions are included on the form, and reporters may ask the site administrator for help in completing and mailing it; however, the mandated reporter is personally responsible for ensuring that the written report is correctly filed.

Employees reporting child abuse to a child protective agency are encouraged, but not required, to notify the site administrator or designee as soon as possible after the initial verbal report by telephone. When so notified, the site administrator shall inform the Superintendent or designee.

Administrators so notified shall provide the mandated reporter any assistance necessary to ensure that reporting procedures are carried out in accordance with law and district regulations. At the mandated reporter's request, the principal may assist in completing and filing the form.

If the mandated reporter does not disclose his/her identity to a district administrator, he/she shall at least provide or mail a copy of the written report to the site administrator and the district without his/her signature or name.

Legal Responsibility and Liability

Mandated reporters have absolute immunity. School employees required to report are not civilly or criminally liable for filing a required or authorized report of known or suspected child abuse.

A mandated reporter who fails to report an instance of child abuse, which he/she knows to exist or reasonably should know to exist, is guilty of a misdemeanor and is punishable by confinement in jail for a term not to exceed six months or by a fine of not more than \$1,000 or both. The mandated reporter may also be held civilly liable for damages for any injury to the child after a failure to report

When two or more persons who are required to report have joint knowledge of suspected instance of child abuse, and when they so agree, the telephone report may be made by either of them and a single report made and signed by that person.

However, if any person who knows or should know that the person designated failed to make the report, that person then has a duty to make the report.

The duty to report child abuse is an individual duty and no supervisor or administrator may impede or inhibit such reporting duties. Furthermore, no person making such a report shall be subject to any sanction.

Victim Interview

Upon request, a child protective agency representative may upon request interview a suspected victim of child abuse during school hours, on school premises, concerning a report of suspected child abuse that occurred within the child's home. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. (Penal Code 11174.3)

A staff member or volunteer aide selected by a child may decline to be present at the interview. If the selected person accepts, the principal or designee shall inform him/her, before the interview takes place, of the following legal requirements:

1. The purpose of the selected person's presence at the interview is to lend support to the child and enable him/her to be as comfortable as possible.
2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the child.
4. The selected person is subject to the confidentiality requirements of the Child Abuse and Reporting Act, a violation of which is punishable as specified by Penal Code 11167.5.
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 or Child Protective Services Agent

When a child is released to a peace officer or child protective agency and taken into custody as a victim of suspected child abuse, the Superintendent and/or principal shall not notify the parent/guardian as required in other instances of removal of a child from school, but rather shall provide the protective agency with the address and telephone number of the child's parent/guardian. It is the responsibility of the peace officer or agent to notify the parent/guardian of the situation. (Education Code 48906)

Peace officer and child protective services agents will be asked to sign an appropriate release or acceptance of responsibility form.

(cf. 5145.11 - Questioning and Apprehension)

When School Employees are Accused of Child Abuse

Regardless of who child abusers may be, the major responsibilities of mandated reports are to 1) identify incidents of suspected child abuse, and 2) comply with laws requiring the reporting of suspected abuse to proper authorities. Determining whether or not the suspected abuse actually occurred is not the responsibility of the school employee. Such determination and follow-up investigation will be made by a child protective agency.

Pending outcome of an investigation by a child protective agency and before formal charges are filed, the employee may be subject to reassignment or a paid leave of absence.

Upon filing formal charges or upon conviction, the district may take disciplinary action in accordance with law, district policies, regulations and/or collective bargaining agreements. The Superintendent or designee shall seek legal counsel in connection with either the suspension or dismissal of the employee.

(cf. 4117.4 - Dismissal)
(cf. 4118 - Suspension/Disciplinary Action (Certificated))
(cf. 4218 - Suspension/Disciplinary Action (Classified))

Suspected Child Abuse Reporting Procedures

I. Initiating the Report

A. The report is initiated by a telephone report to the appropriate agency.

B. If the suspected child abuse has taken place within the family, call the Enter appropriate Agency Hotline at phone number, 1 (800) 827-8724

C. If the suspected child abuse has taken place outside the family, call the local police department at:

Highland Sheriff Police Department
Phone: (909) 425-9793

D. Content of call.

- 1) Name, address and age of child involved.
- 2) Clear description of suspected abuse.

II. Written Report

A. The telephone call is to be followed by completion of the Suspected Child Abuse Report (form 11166.P.C.). These forms are available in the Principal's office at the high school or you may access the form on line at:
http://ag.ca.gov/childabuse/pdf/ss_8572.pdf for a form or immediately call (909) 384-9233 to file a report.

B. The written report is to be addressed to the person to whom the telephone report was made.

C. The written report must follow the phone call within 36 hours.

1. Suspected child abuse within the family,
Agency: Children and Family Services
Address: 150 S. Lena Road, San Bernardino, California 92415

2. Suspected child abuse outside the family should be mailed to the agency to which the report was called -

Adopted: 10/2005
Highland Sheriff Police Department
Phone: (909)425-9793

The reporting party should keep the yellow copy of the Suspected Child Abuse Report form (SS8572) or verification of completion of the reporting obligation.

Caution:

1. The reporting responsibility has not been discharged until both the telephone call and written reports are complete.
2. School personnel are not to engage in any investigation of suspected cases. The investigation will be done by the child protective services office.
3. The reporting responsibility is an individual one which is NOT discharged by report to supervisors or administrators.

(B) Disaster Procedures (EC 35295-35297; GC 8607 and 3100)

Disaster Plan (See Appendix C-F)

Each classroom, office, library and room on campus has a posting of the emergency procedures near the exit door. Emergency procedures are also posted in each classroom notebook which is reviewed at the beginning of the school year for updates. Fire Drills are practiced each month of the school year. Earthquake drills are practiced four times a year and Lock Down drills are practiced yearly.

Public Agency Use of School Buildings for Emergency Shelters

(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines

Policy 5144.1: Suspension And Expulsion/Due Process

Suspension and Expulsion

The Governing Board recognizes that maintaining an environment which promotes learning and protects the health, safety, and welfare of all students may require the suspension or expulsion of a student from regular classroom instruction. District policies and school site rules shall clearly identify district behavior standards

(cf. 5144 - Discipline)

Except in cases where suspension for a first time offense is warranted in accordance with law, suspension shall be imposed only when other means of correction fail to bring about proper conduct. (Education Code 48900.5)

Expulsion is an action taken by the Board for severe or prolonged breaches of discipline by a student. Except for single acts of a grave nature, expulsion is usually used only when there is a history of misconduct, when other forms of discipline, including suspension, have failed to bring about proper conduct, or when the student's presence causes a continuing danger to other students. (Education Code 48915)

The grounds for suspension and expulsion and the procedures for considering, recommending and/or implementing suspension and expulsion shall be specified in Administrative Regulation.

Each principal shall annually inform all students and parents/guardians of the school's discipline rules and procedures and of the availability of all district policies and regulations dealing with student discipline, suspension and expulsion. (Education Code 35291, 35291.5)

(cf. 5145.6 - Parental Notifications)

Suspended or expelled students shall be excluded from all school-related extracurricular activities during the suspension or expulsion.

cf. 6145 - Extracurricular and Cocurricular Activities)

Zero Tolerance

The Board supports a zero tolerance approach to serious offenses in accordance with state and federal law. This approach makes the removal of potentially dangerous students from the classroom a top priority and ensures the standardized treatment of all students. Staff shall immediately report to the Superintendent/ designee any incidence of offenses specified in law, Board policy, and administrative regulation as cause for suspension or expulsion.

Student Due Process

The Board shall provide for the fair treatment of students facing suspension and expulsion by affording them their due process rights under the law. The administration and staff shall comply with procedures for notices and appeals as specified in regulation. Procedures governing student due process shall conform in all aspects to provisions in law. (Education Codes 48911, 48915 and 48915.5)

Whenever a student is suspended, school officials may (but are not required to) meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

cf. 5119 - Students Expelled from Other Districts

(cf. 5144.2 - Suspension and Expulsion/Due Process - Individuals with Exceptional Needs)

Rights of Complaining Witness

An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental or emotional needs of a student who is the complaining witness. (Education Code 48918.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Educational Code 48918.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies
3. Have a closed hearing during the time he/she testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48918.5)

On-Campus Suspension Program

The Board recognizes that students who are suspended from school frequently have no supervision or guidance during the school hours when they are off campus. The Board believes that in many cases, instead of sending the student off campus, it would be better to address the student's misconduct by keeping the student at school and providing him/her with supervision that is separated from the regular classroom.

The Superintendent or designee shall examine alternatives to off-campus suspension and may establish a suspension program which involves progressive discipline during the school day on campus; using conferences between staff, parents/guardians and students; detention; student study teams or other assessment-related teams; and/or referral to school support services staff.

Required Parental Attendance

The Board believes that parental involvement plays an important role in the resolution of classroom behavior problems. The Board expects that teachers will communicate with parents/guardians when behavior problems arise

Whenever a student is suspended from a class because he/she committed an obscene act, engaged in habitual profanity or vulgarity, disrupted school activities or otherwise willfully defied valid staff authority, the teacher of the class from which the student was suspended may require the student's parent/guardian to attend a portion of a school day in that class. After completing the classroom visit and before leaving school premises, the parent/guardian also shall meet with the principal or designee. (Education Code 48900.1)

The Board encourages teachers, before requiring parental attendance, to make reasonable efforts to have the parent/guardian visit the class voluntarily. The teacher also may consider informing the parent/guardian about available resources which may provide help in the development of parenting skills. Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the student and the parent/guardian and to improve classroom behavior.

Parental attendance may be required on the day the student returns to class or within one week thereafter. The principal or designee shall contact any parents/guardians who do not respond to the request to attend school. The Board recognizes that parental compliance with this policy may be delayed, modified or prevented by serious illness/injury/disability, absence from town, or inability to get certain release time from work.

The teacher shall apply this policy uniformly to all students within the classroom. This policy shall apply only to a parent/guardian who actually lives with the student. (Education Code 48900.1)

District regulations and school-site rules for student discipline shall include procedures for implementing parental attendance requirements.

Parents/guardians shall be notified of this policy before it is implemented and at the beginning of each subsequent school year. (Education Code 48900.1, 35291, 48980)

Decision Not to Enforce Expulsion Order

In cases where expulsion is mandatory pursuant to Education Code 48915(c), the enforcement of an expulsion order shall not be suspended by the Board. In all other cases of expulsion, the order for expulsion may be suspended by the Board, on a case-by-case basis, pursuant to the requirements of law.

Definitions

Suspension from school means removal of a student from on going 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, nor referral to a certificated employee designated by the principal to advise students, nor removal from the class without reassignment to another class or program for the remainder of the period, without sending the student to the principal or designee.

2. Removal from a particular class shall not occur more than once every five school days. (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)

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

School property, for the purposes described in Education Code 48900, includes, but is not limited to, electronic files and databases. (Education Code 48900(s))

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, suspension and expulsion. Transfer students and their parents/guardians shall be notified at the time of enrollment. (Education Code 35291.5, 48900.1, 48980)

(cf. 5144 -Discipline)

(cf. 5145.6 Parental Notifications)

Notification shall include information about the ongoing availability of individual school rules and all district policies and regulations pertaining to student discipline. (Education Code 35291)

(cf. 5145.6 -Parental Notifications)

Grounds for Suspension and Expulsion

Students may be suspended or recommended for expulsion when the Superintendent, principal, or principal's designee at the school in which the student is enrolled determines that the student has done any of the acts listed below:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense. (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However, a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code Board Policy Manual Redlands Unified School District 48900(s))

2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48900(b))

(cf. 5 131 - Conduct)

(cf. 5131. 7 - Weapons and Dangerous Instruments)

3. Unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of, any controlled substance as defined in the Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind. (Education Code 48900(c))

(cf. 5131.6 -Alcohol and Other Drugs)

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance or material and represented same as controlled substance, alcohol beverage or intoxicant. (Education Code 48900(d))

5. Committed or attempted to commit robbery or extortion. (Education Code 48900(e))

6. Caused or attempted to cause damage to school property or private property. (Education Code 48900(f))

7. Stole or attempted to steal school property or private property. (Education Code 48900(g))

8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products with prior approval of the principal or designee. (Education Code 48900(h))

9. Committed an obscene act or engaged in habitual profanity or vulgarity. (Education Code 48900(i))

10. Unlawfully possessed, or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code. (Education Code 48900(j))

11. Disrupted school activities or otherwise willfully defied 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))

12. Knowingly received stolen school property or private property. (Education Code 48900(1))
13. Possessed an imitation firearm, i.e., 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))
14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code 243.4. (Education Code 48900(n))
15. 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))
16. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug soma. (Education Code 48900(p))
17. Engaged in, or attempted to engage in, hazing as defined in Education Code 32050. (Education Code 48900(q))
18. Made terrorist threats against school officials and/or school property. (Education Code 48900.7)

A student in grades 4 through 12 is also subject to suspension or recommendation for expulsion when it is determined that he/she:

19. Committed sexual harassment as defined in Education Code 212.5. (Education Code 48900.2)
20. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 33032.5. (Education Code 48900.3)
21. 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 Glasswork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment (Education Code 48900.4)

(cf. 5145.3 -Nondiscrimination/Harassment)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent/principal or within any other school district, including but not limited to the following circumstances:

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.

The Superintendent/principal may use his/her discretion to provide alternatives to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program. (Education Code 48900(r))

cf. 5138 -Conflict Resolution/Peer Mediation)

Alternatives to suspension or expulsion will be used against students who are truant, tardy, or otherwise absent from assigned school activities.

(cf. 5113 -Absences and Excuses)

(cf. 5113.1 - Truancy)

Suspension from Class by a Teacher/Parental Attendance

A teacher may suspend any student from the teacher's class for any of the acts listed under "Grounds for Suspension and Expulsion" above for the day of the suspension and the day following. (Education Code 48910)

Suspension from class means the removal of a student from class by a teacher for the day of the suspension and the next day. A teacher may suspend a student from class and may also refer a student for consideration of suspension from school for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

When suspending a student from his/her class, the teacher shall immediately report this action to the principal and send the student to the principal for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been suspended.

As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the suspension. A counselor or psychologist should attend the conference if it is practicable, and a school administrator may attend if either the parent/guardian or teacher so request.

A suspended student shall not be returned to class during the period of suspension without the approval of the teacher of the class and the principal. (Education Code 48910)

A student suspended from class shall not be placed in another regular class during the period of suspension. However, if a student is assigned to more than one class per day, he/she may be placed in any 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 suspended student to complete any assignments and tests missed during the suspension. (Education Code 48913)

When a teacher requires a parent/guardian to attend school in accordance with Board Policy, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is required pursuant to law. (Education Code 48900.1)

1. This notice shall also tell the parent/guardian when his/her presence is expected and by what means he/she may arrange any necessary change.
2. The notice shall describe the protections afforded to the parent/guardian as an employee by Labor Code 230.7.
3. The notice shall state that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student.

The teacher shall remind the parent/guardian to meet with the principal or designee after completing the classroom visit and before leaving school premises.

Suspension By Superintendent, Principal Or Principal's Designee

A Superintendent, principal, or principal's designee may suspend a student from a school for any of the acts listed under "Grounds for Suspension and Expulsion" above for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

The Superintendent or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife, as defined in Education Code 48915(g), at another person.

3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.

4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item 414 under "Grounds for Suspension and Expulsion" above.

5. Possession of an explosive as defined in 18 USC 921.

Suspension may be imposed upon a first offense if the Superintendent, principal or designee determines the student violated items (i) - (v) listed in "Grounds For Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903 and 48912)

Suspension Procedures

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the principal or designee or the Superintendent or designee between 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 and the evidence against him/her and shall be given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911(b))

This conference may be omitted if the principal, designee or the Superintendent or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or school personnel. If the pre-suspension conference is not held, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference will be held as soon as the student is physically able to return to school. (Education Code 48911(c))

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior

A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee, who in turn will inform the Board.

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 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 also state the date and time when the student may return to school.

Should school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may also add that state law requires the parent/guardian to respond to such request without delay.

4. Parent/Guardian Conference: Whenever a student is suspended, school officials may meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such conference. The student may not be denied readmission solely because the parent/guardian failed to attend. (Education Code 48911)

5. Extension of Suspension: If the expulsion of a suspended student is being considered by the Board, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision. (Education Code 48911(g))

Any extension of the original period of suspension shall be 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. Extension of the suspension may be made only if 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(g))

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal or Principal's 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 if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. 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 may hold closed sessions if a public hearing would lead to disclosure of information which would violate a student's right to privacy under Education Code 49073-49079.

(cf. 9321 -Closed Session Purposes and Agendas)

The Board shall provide the student with written notice of the closed session by registered or certified mail. Upon receiving this notice the student 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 shall be in closed session. (Education Codes 48912)

Authority to Expel

A student may be expelled only by the Board. The Board shall expel, as required by law, any student found to have committed certain offenses listed below under "Mandatory Recommendation and Mandatory Expulsion."

The Board may also order a student expelled for any of the acts listed above under "Grounds for Suspension and Expulsion" upon recommendation by the principal, Superintendent, hearing officer or administrative panel, based on finding either or both of the following: (Education Code 48915(b) and (e))

1. That other means of correction are not feasible
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

Mandatory Recommendation For Expulsion

The principal, Superintendent or designee shall recommend a student's expulsion for any of the following acts, unless the principal or Superintendent or designee finds, and reports in writing to the Board, that expulsion is inappropriate due to particular circumstances which shall be set out in the report of the incident:

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife as defined in Education Code 48915(g), explosive 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 the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee.

Mandatory Recommendation And Mandatory Expulsion

The principal, Superintendent or designee shall recommend that the Board expel any student found at school or at a school activity off school grounds to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48915(c).1)
2. Brandishing a knife as defined in Education Code 48915(g) at another person. (Education Code 48915(c).2)
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058. (Education Code 48915(c).3)
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above. (Education Code 48915(c).4)
5. Possessing an explosive as defined in 18 USC 921.

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

Student's Right to Expulsion Hearing

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred. (Education Code 48918(a))

The student is entitled to 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 district's discretion. (Education Code 48918(a))

If the district finds it impracticable 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))

Once the hearing starts, all matters shall be pursued with reasonable diligence and concluded without unnecessary delay. (Education Code 48918(a))

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 48915.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Education Code 48915.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing.

2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies.
3. Have a closed hearing during the time he/she testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48915.5)

Written Notice of the Expulsion Hearing

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least ten 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. A parent/guardian of a student expelled for acts described in paragraphs through 4 of Education Code 48915(a), seeks enrollment in another district they must inform the new district of the students status with the expelling district, pursuant to Education Code 48915.1.

(cf. 5119 -Students Expelled from Other Districts)

5. The opportunity for the student or the student's parent/guardian to appear in person or to employ and be represented by counsel.
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.

Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and Education Code 35145, the Board shall conduct the hearing or arrange for an alternative 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 request is made, the meeting shall be public

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to deliberate and determine if the student should be expelled. If the Board admits any other person to the closed session, the parent/guardian, the student, counsel of the student and counsel of the parent/guardian shall also be allowed to attend the closed session. (Education Code 48918(c))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to have his/her testimony heard in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including but not limited to videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

2. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, so long as a reasonably accurate written and complete transcription of the proceedings can be made. (Education Code 48918(g))

3. Presentation of Evidence: While technical rules of evidence do not apply to such hearings, 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 must be supported by substantial evidence that the student committed any of the above acts listed under "Grounds for Suspension and Expulsion" above. Findings of fact shall be based solely on the evidence at the hearing.

While no evidence 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) and

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 Witness: The following procedures shall be observed when hearings involve allegations of sexual assault or sexual battery by a student: (Education Code 48918)

- a. Any complaining witness shall be given five days' notice before being called to testify.
- b. Any complaining witness shall be entitled to have up to two adult support persons, including but not limited to a parent/guardian or legal counsel, present during his/her testimony.
- c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- e. If one or both support persons are also witnesses, the hearing shall be conducted according to Penal Code 868.5.
- f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard.

Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.

g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.

(1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.

(2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.

(3) The person conducting the hearing may:

- (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness.
- (b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
- (c) Permit one of the support persons to accompany the complaining witness to the witness stand.

6. Decision Within Ten Days: The Board's decision on whether to expel a student shall be made within ten school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

7. Decision Within 40 Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative 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. Alternatively, the Board may 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(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified in "Conduct of Expulsion Hearing" above.

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 student shall be immediately reinstated. (See "Reinstatement" below.) The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers and with the student's parent/guardian. (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))

The hearing officer or administrative panel may recommend that the Board suspend the expulsion for a period of one year. (See "Suspension of Expulsion" below.)

The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Stipulated Expulsions

It is the policy of the Redlands Unified School District that, where approved by the Superintendent or designee, parents/guardians may agree to the expulsion of their pupil by stipulation without necessity of a hearing. This process will expedite the pupil's school placement and may expedite the rehabilitation process.

A stipulated expulsion must be purely voluntary. No district administrator or staff member may coerce a pupil, parent or guardian into entering into such a stipulation. Parents/guardians will be given three calendar days to decide on a stipulated expulsion agreement.

If the parent/guardian requests a stipulated expulsion, the Superintendent or designee will promulgate the stipulated agreement. If at any time the parent/guardian decides not to pursue a stipulated agreement, the expulsion proceedings and timelines, extended by the length of the period for consideration of the stipulation, will be reinstated. The stipulated agreement will be presented to the Board for final consideration.

The stipulated agreement will include the terms and conditions of the expulsion order, including alternative placement and a rehabilitation plan to be completed before the student can be re-admitted to the district.

Final Action by the Board

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel, the final action to expel must be taken by the Board at a public meeting. (Education Code 48918(f)) The Board shall maintain a record of each expulsion, including its cause. Expulsion records shall be non-privileged, disclosable public records.

(cf. 9321.1 - Closed Session Actions and Reports)

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

Upon ordering the 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 an act listed under "Mandatory Recommendation and Mandatory Expulsion" above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. (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 of the student at the time of review for readmission.
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service and other rehabilitative programs.
3. Such other recommendations as the Board approves.

With parental 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)

Upon expulsion, a copy of readmission procedures will be made available to the student and his/her parent/guardian.

Written Notice to Expel

The Superintendent or designee shall send written notice of the decision to expel to the student or parent/guardian. The notice shall include the following:

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed in Education Code 48900(a)-(o), Education Code 48900.2-48900.4 and Education Code 48915(c). (Education Code 48900.8)
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian. (Education Code 48916)
3. Notice of the right to appeal such expulsion to the County Board of Education. (Education Code 48918)
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion. (Education Code 48918)
5. The notice also shall inform the student or parent/guardian of his/her 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)

Suspension of Expulsion

The Board, upon voting to expel a student, may suspend the enforcement of the expulsion order for not more than one calendar year. When deciding whether to suspend an expulsion, the Board shall take into account the following criteria:

1. The student's previous behavior.
2. The seriousness of the misconduct.
3. The student's attitude toward the misconduct and his/her willingness to follow a rehabilitation program.

The suspension of the enforcement of an expulsion shall be governed by the following: (Education Code 48917)

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.
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status.
3. The suspension of expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion" above or violates any of the district's rules and regulations governing student conduct.
4. When suspension of expulsion order is revoked, a student may be expelled under the terms of the original expulsion order
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expungement of any or all records of the expulsion proceedings.
6. Suspension 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 of Education.
7. 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 also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education. (Education Code 48918(i))

Right to Appeal

The student or parent/guardian is entitled to file an appeal of the Board's decision to the County Board of Education.

The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion action is suspended and the student is placed on probation. (Education Code 48919)

Post-Expulsion Placements

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 such a site.
3. Not housed at the school site attended by the student at the time of suspension.

(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for acts described in items #6 through # 13 and # 17 through # 19 under "Grounds for Suspension and Expulsion" above may be instead referred to a program of study that is provided at another comprehensive middle, junior, or senior high school, or at an elementary school.

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)

Reinstatement

When the Board accepts a recommendation against expulsion or makes its own decision after the hearing not to expel, the decision is final and the student shall be reinstated immediately. The Superintendent or designee shall place the student in any classroom program, other instructional program, rehabilitation program, or any combination of such programs following consultation with district personnel, including the teacher involved, and with the student's parent/guardian. (Education Code 48918(e))

Readmission

An expulsion order shall remain in effect until the Board may order the readmission of the student.

Readmission procedures shall be as follows:

1. A written request for review of expulsion action and request for readmission shall be submitted by the parent/guardian to the Superintendent or designee.
2. The Superintendent or designee will hold a conference with the parent/guardian and the student.
3. At the conference the conditions for readmission will be reviewed. The Superintendent or designee shall verify that the rehabilitation plan has been met.
4. School regulations will be reviewed and the student and parent/guardian will be asked to indicate in writing their willingness to comply with these regulations.
5. The Superintendent or designee will transmit the request for readmission to the Board, along with his/her recommendation. The Board shall consider the request in closed session if the information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it will be honored.
6. The Superintendent or designee will notify the student or parent/guardian, by registered mail, of the district's decision regarding readmission.
7. 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)
8. 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. (Education Code 48916)
9. 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)

Maintenance of Records

The Board will maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls, within five days of a written request by the admitting school. (Education Code 48900.8, 48918(k))

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district. (Education Code 48915.1)

cf. 5119 - Students Expelled from Other Districts)

(cf. 5125 - Student Records)

Notifications and Reports

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering or sale of controlled substances, alcohol, or intoxicants of any kind.

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 also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

Outcome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion.
2. The specific grounds for each recommended expulsion.
3. Whether the student was subsequently expelled.
4. Whether the expulsion order was suspended.
5. The type of referral made after the expulsion.
6. The disposition of the student after the end of the expulsion period.

Suspension and Expulsion/Due Process

Redlands Unified
Administrative Regulation
AR 51441
Adopted June 27, 1995
Students

Definitions

Suspension from school 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. Removal from a particular class shall not occur more than once every five school days.

Expulsion means removal of a student from the immediate supervision and control, or the general supervision, of school personnel. (Education Code 48925)

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian or legal counsel. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

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, suspension and expulsion. Transfer students and their parents/guardians shall be notified at the time of enrollment. (Education Code 35291.5, 48900.1, 48980)
(cf. 5144 - Discipline)

Notification shall include information about the ongoing availability of individual school rules and all district policies and regulations pertaining to student discipline. (Education Code 35291)
(cf. 5145.6 - Parental Notifications)

Grounds for Suspension and Expulsion

A student may be subject to suspension or expulsion when it is determined that he/she:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense. (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aide or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code 48900(s))

2. Possessed, sold, or otherwise furnished any firearm. Knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48900(b))
(cf. 5131 - Conduct)
(cf. 5131.7 - Weapons and Dangerous Instruments)

3. Unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of, any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind. (Education Code 48900(c))
(cf. 5131.6 - Alcohol and Other Drugs)

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid, substance or material and represented same as controlled substance, alcohol beverage or intoxicant. (Education Code 48900(d))

5. Committed or attempted to commit robbery or extortion. (Education Code 48900(e))

6. Caused or attempted to cause damage to school property or private property. (Education Code 48900(f))

7. Stole or attempted to steal school property or private property. (Education Code 48900(g))

8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products (Education Code 48900(h))

9. Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))

10. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5. (Education Code 48900(j))

11. Disrupted school activities or otherwise willfully defied 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))

12. Knowingly received stolen school property or private property. (Education Code 48900(l))

13. Possessed an imitation firearm, i.e., 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))

14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code 243.4. (Education Code 48900(n))

15. 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))

16. Made terrorist threats against school officials and/or school property. (Education Code 48900.7)

Pursuant to Education Code 48900.7, the making of a terrorist threat includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person or property damage in excess of \$1,000.00, 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.

A student in grades 4 through 12 is also subject to suspension or recommendation for expulsion when it is determined that he/she:

17. Committed sexual harassment as defined in Education Code 212.5. (Education Code 48900.2)

Pursuant to Education Code 48900.2 the conduct constitutes harassment when considered from the perspective of a reasonable person of the same gender as the victim to be 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.

(cf. 5145.7 - Sexual Harassment)

18. 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)

(cf. 5145.9 - Hate-Motivated Behavior)

Education Code 233 defines "hate violence" as any act punishable under Penal Code 422.6, 442.7 or 422.75. Such acts include injuring or intimidating another person, interfering with the exercise of a person's civil rights, or damaging a person's property because of the person's race, color, religion, ancestry, national origin, disability, gender or sexual orientation.

19. Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading student rights by creating an intimidating or hostile educational environment. (Education Code 48900.4)

(cf. 5145.3 - Nondiscrimination/Harassment)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent or principal or within any other school district, including but not limited to the following circumstances: (Education Code 48900)

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.

The Superintendent or principal may use his/her discretion to provide alternative to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program. (Education Code 48900(r))

Alternatives to suspension or expulsion will be used with students who are truant, tardy, or otherwise absent from assigned school activities.

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Truancy)

Removal from Class by a Teacher/Parental Attendance

A teacher may suspend any student from his/her class for the remainder of the day and the following day for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

A teacher also may refer a student to the principal or designee for consideration of suspension from school. (Education Code 48910)

When removing a student from his/her class, the teacher shall immediately report this action to the principal and send the student to the principal for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been removed.

As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the removal. A counselor or psychologist should attend the conference if it is practicable, and a school administrator may attend if either the parent/guardian or teacher so requests.

A student removed from class shall not be returned to class during the period of removal without the approval of the teacher of the class and the principal. (Education Code 48910)

A student removed from class shall not be placed in another regular class during the period of removal. However, if a student is assigned to more than one class per day, he/she may be placed in any other regular classes except those held at the same time as the class from which the student was removed. (Education Code 48910)

The teacher of any class from which a student is removed may require the student to complete any assignments and tests missed during the removal. (Education Code 48913)

Pursuant to Board policy, a teacher may provide that the parent/guardian of a student whom the teacher has removed attend a portion of a school day in his/her child's classroom. When a teacher makes this request, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is requested pursuant to law. (Education Code 48900.1)

This notice shall also:

1. Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternate date.
2. Describe the legal protections afforded to the parent/guardian as an employee under Labor Code 230.7.
3. State that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student.
4. Ask the parent/guardian to meet with the principal after the visit and before leaving school, as required by Education Code 48900.1.

Suspension by Superintendent, Principal or Principal's Designee

The Superintendent, principal or principal's designee may suspend a student from a school for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

The Superintendent or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife, as defined in Education Code 48915(g), at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion".
5. Possession of an explosive as defined in 18 USC 921.

Suspension also may be imposed upon a first offense if the Superintendent, principal or designee determines the student violated items #1-5 listed in "Grounds for Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903, 48912)

The Superintendent or designee may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which a student may be suspended in any school year. (Education Code 48903)

Suspensions shall be initiated according to the following procedures:

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the principal, designee or the Superintendent 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 and the evidence against him/her; the student shall be given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911(b))

This conference may be omitted if the principal, designee or the Superintendent determines that an emergency situation exists. An "emergency situation" involves 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 a conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference will be held as soon as the student is physically able to return to school. (Education Code 48911(c))

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee.

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 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 also state the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may add that state law requires the parent/guardian to respond to such requests without delay.

4. Parent/Guardian Conference: Whenever a student is suspended, school officials may meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such conference. The student may not be denied readmission solely because the parent/guardian failed to attend. (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. (Education Code 48911(g))

Any extension of the original period of suspension shall be 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. Extension of the suspension may be made only if 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)

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal or Principal's 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 if any of the acts listed in “Grounds for Suspension and Expulsion” occurred. 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 closed sessions if a public hearing would lead to disclosure of information violating a student’s right privacy under Education Code 49073-49079.

(cf. 9321 - Closed Session Purposes and Agendas)

The Board shall provide the student and his/her parent/guardian with written notice of the closed session by or certified mail. 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 Codes 35146, 48912)

On-Campus Suspension Program

Students for whom an expulsion action has not been initiated and who pose no imminent danger or threat to the school may be assigned to a separate, supervised suspension classroom for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

1. The supervised suspension classroom shall be staffed in accordance with law.
2. The student shall have access to appropriate counseling services.
3. The supervised suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.
4. Each student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom. The teacher 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 a supervised 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 shall be made in writing. (Education Code 48911.1)

Authority to Expel

A student may be expelled only by the Board. The Board shall expel, as required by law, any student found to have committed certain offenses listed below under “Mandatory Recommendation and Mandatory Expulsion.”

The Board also may order a student expelled for any of the acts listed under “Grounds for Suspension and Expulsion” upon recommendation by the principal, Superintendent, hearing officer or administrative panel, based on finding 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.

Mandatory Recommendation for Expulsion

Unless the principal, Superintendent or designee finds that expulsion is inappropriate due to particular circumstances, the principal, Superintendent or designee shall recommend a student’s expulsion for any of the following acts: (Education Code 48915 (a))

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife as defined in Education Code 48915(g), explosive or other dangerous object of no reasonable use to the student.
3. Unlawful possession of any controlled substance, as listed in the Health and Safety Code 11053-11058, except for the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee.

Mandatory Recommendation and Mandatory Expulsion

Note: The Attorney General has determined, in 80 Ops.Cal. Atty. Gen. 347 (1997), that a district may not adopt a zero tolerance policy mandating expulsion of a student for a first offense of possession of a controlled substance or alcohol.

The principal, Superintendent or designee shall recommend that the Board expel any student found at school or at a school activity to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife as defined in Education Code 48915(g) at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above.
5. Possessing an explosive as defined in 18 USC 921.

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

The initial recommendation for consideration of expulsion is that of the school principal or the Superintendent. Designees may not make this type of recommendation.

The recommendation for consideration of expulsion shall be submitted to the Director, Office of Student Services, who will review the material and recommend:

1. Reassignment to appropriate regular education program.
2. Refer student to Alternative Program; i.e., Community School, Independent Study, Continuation or Opportunity School, or other district programs.
3. Refer the matter to the Discipline Review Panel for further consideration.

When a case is referred to the discipline Review Panel, the panel shall question school personnel who have information on the incident and the behavior record of the student charged and weighs the evidence presented.

The panel shall, in the case of an expulsion consideration, weigh information presented to determine:

- a. Is the evidence sufficient to support consideration by the expulsion panel?
- b. Has the district, through the schools involved, considered or utilized alternatives to expulsion when possible?
- c. Have due process procedures been adhered to?

The recommendation shall be either to proceed with the expulsion or to utilize an existing practical alternative in lieu of expulsion.

If the district (school) has not adhered to due process requirements, the student shall be returned to school immediately.

If the Discipline Review Panel meets to consider a matter other than an expulsion, it shall provide its best judgment as to an effective alternative program or plan to action.

The recommendation of the Discipline Review Panel shall be forwarded to the Director, Office of Student Services, who shall then review the facts, concur, veto or modify the recommendation.

4. That an expulsion panel be convened.

At the time a recommendation for expulsion is submitted, a hearing shall be scheduled by the Superintendent or designee to determine whether the suspension shall be extended. If the decision is to extend the suspension, the period of time shall be until the Board has rendered a decision or until the expulsion process is otherwise terminated.

The extension of suspension shall be based upon determination by the Superintendent or designee that the presence of the student at the school or in an alternative school placement would cause a danger to persons or property or a threat of disrupting the instructional process. This extension shall be imposed only after the student and the parent/guardian have been given the opportunity to be present at a hearing conducted by the Superintendent or designee. At this time, the student and parent/guardian shall be given the opportunity to be heard and present any information that might bear upon the decision.

Materials which support the decision of the person recommending the expulsion shall be prepared and submitted to the Office of Student Services. The departments of Attendance, Guidance, Special Education and/or Health may be requested to assist in the preparation of this material.

Student's Right to Expulsion Hearing

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred. (Education Code 48918 (a))

The student is entitled to 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 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 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 no 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))

Waiver of Hearing (Default Proceedings)

If the parent/guardian agrees that their son/daughter behaved essentially in the manner stated in the principals letter recommending expulsion and that such behavior constitutes a violation of the California Education Code, Section 48900, 48900.2, 48900.3, 48900.4, 48900.7 and/or 48915 a suspendable/expellable offense, the parent/guardian may request to waive the Administrative Hearing Panel.

When the parent/guardian agrees to waive the Administrative Hearing Panel, they also waive all notification and timelines related to the expulsion hearing process, along with their rights to appeal the determination of the Board.

The signed affidavit and findings of fact will be submitted to the Board for their approval. The Board has the discretionary power to accept, reject, or modify all recommendations.

Rights of Complaining Witness

An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental or emotional needs of a student who is the complaining witness. (Education Code 48918.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to all the following: (Education Code 48918.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing.
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies.
3. Have a closed hearing during the time he/she testifies.

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48918.5)

Written Notice of the Expulsion Hearing (Education Code 48918(b))

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least 10 calendar days before the date of the hearing. The notice shall include: (Education Code 48900.8, 48918 (b))

1. The date and place of the hearing.
2. A statement of the specific facts, charges and offense upon which the proposed expulsion is based.
3. A copy of district disciplinary rules which relate to the alleged violation.
4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment. This obligation applies when a student is expelled for acts other than those described in Education Code 48915 (a) or (c).
(cf. 5119 - Students Expelled from other Districts)

5. The opportunity for the student or the student's parent/guardian to appear in person and/or be represented by legal counsel or by a non-attorney advisor.

Legal counsel means an attorney or lawyer who is admitted to the practice of law in California and is an active member of the State Bar of California.

Non-attorney advisor 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.

Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and 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 request is made, the meeting shall be public, unless another student's privacy rights would be violated.

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to determine if the student should be expelled. If the Board admits any other person to the closed session, the parent/guardian, the student, and the counsel of the student, shall also be allowed to attend the closed session. (Education Code 48918(c))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to have his/her testimony heard in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including but not limited to videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

2. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate written and complete transcription of the proceedings can be made. (Education Code 48918(g))

3. Subpoenas: Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with the Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20, formerly 11525. (Education Code 48918(i))

Any objection raised by the student or the Superintendent or designee to the issuance of subpoenas may be considered by the Board in closed session, or in open session if so requested by the student, before the meeting. The Board's decision in response to such an objection shall be final and binding. (Education Code 48918(i))

If the Board determines, or if the hearing officer or administrative panel finds and submits to the Board, that a witness would be subject to unreasonable risk of harm by testifying at the hearing, a subpoena shall not be issued to compel the personal attendance of that witness at the hearing. However, that witness may be compelled to testify by means of a sworn declaration as described in item #4 below. (Education Code 48918(i))

4. Presentation of Evidence: While technical rules of evidence do not apply to expulsion hearings, 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 must be supported by substantial evidence that the student committed any of the acts listed in "Grounds for Suspension and Expulsion" above.

Findings of fact shall be based solely on the evidence at the hearing. While no evidence 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) and (h))

In cases where a search of a student's person or property has occurred, evidence describing the reasonableness of the search shall be included in the hearing record.

5. Testimony by Complaining Witnesses: The following procedures shall be observed when hearings involve allegations of sexual assault or sexual battery by a student: (Education Code 48918)

- a. Any complaining witness shall be given five days' notice before being called to testify.
- b. Any complaining witness shall be entitled to have up to two adult support persons, including but not limited to a parent/guardian or legal counsel, present during his/her testimony.
- c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- e. If one or both support persons are also witnesses, the hearing shall be conducted according to Penal Code 868.5.
- f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.
- g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.
 - (1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.
 - (2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.
 - (3) The person conducting the hearing may:
 - (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness.
 - (b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
 - (c) Permit one of the support persons to accompany the complaining witness to the witness stand.

6. Decision Within 10 Days: The Board's decision on whether to expel a student shall be made within 10 school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

7. Decision Within 40 Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

Instead of conducting an expulsion hearing itself, the Board may contract with the county hearing officer or with the Office of Administrative Hearings of the State of California for a hearing officer. Alternatively, the Board may 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(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified in "Conduct of Expulsion Hearing."

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 student shall be immediately reinstated. (See "Reinstatement.") The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers, and with the student's parent/guardian. (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 for a period of one year. (See "Decision Not to Enforce Expulsion Order" below.)

The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

The Discipline Review Panel

The Discipline Review Panel will consist of elementary educators when a review is being made of an elementary student and of secondary educators when a review is being made of secondary student.

1. The Discipline Review Panel shall hear the following types of disciplinary cases:
 - a. Requests for expulsion from site principals or the Superintendent.
 - b. School site administrative requests for assistance (non-expulsion situations).
2. Each discipline review panel shall consist of three certificated persons plus a chairperson and shall consist of elementary educators when a review is being made of an elementary student and of secondary educators when a review is being made of a secondary student. A panelist may not serve on any panel involving a student who is currently attending the school in which he/she is assigned. A representative from Student Services shall be a nonvoting member of each panel.

A chairperson and assistant chairperson, to serve when the chairperson is unable to serve, shall be appointed by the Superintendent or designee and shall serve at his/her pleasure. Neither shall be a member of the Student Services staff.

A pool of panelists shall be established which shall be composed of personnel who have served or are currently serving as members of administrative expulsion panels. The committee chairman shall select members to serve on individual panels.

The meetings of the discipline review panel are open to school district personnel only.

The duties of the Discipline Review Panel are as follows:

1. The chairperson shall call a meeting of the panel as soon as possible, but no later than 10 school days after the receipt of notice of a pending case.
2. A recommendation must be forwarded to the Director, Office of Student Services, within three days of the review hearing.
3. In the event a member of the committee cannot be present at a meeting, the Director, Office of Student Services, will appoint an alternate from the pool to attend.

Final Action by the Board

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel, the final action to expel shall be taken by the Board at a public meeting. (Education Code 48918(j))

(cf. 9321.1 - Closed Session Actions and Reports)

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

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 an act listed under “Mandatory Recommendation and Mandatory Expulsion” above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. (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 of the student at the time of review for readmission.
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service and other rehabilitative programs.

With parental 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 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 in Education Code 48900 (a)-(o), Education Code 48900.2-48900.4, Education Code 48915 (c) and (Education Code 48900.8).
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian. (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Governing Board. (Education Code 48918)
4. Notice of the alternative educational placements 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 Not to Enforce Expulsion Order

In accordance with Board policy, when deciding whether to suspend the enforcement of an expulsion, the Board shall take into account the following criteria:

1. The student’s pattern of behavior.
2. The seriousness of the misconduct.
3. The student’s attitude toward the misconduct and his/her willingness to follow a rehabilitation program.

The suspension of the enforcement of an expulsion shall be governed by the following: (Education Code 48917)

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.
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status.
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” above or violates any of the district’s rules and regulations governing student conduct.
4. When the suspension of the enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order.
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings.
6. 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 County Board of Education.

7. 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 also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education. (Education Code 48918 (j))

Right to Appeal

The student or parent/guardian is entitled to file an appeal of the Board's decision to the County Board of Education. The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion action is suspended and the student is placed on probation. (Education Code 48919)

Post-Expulsion Placements

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 such a site.
3. Not housed at the school site attended by the student at the time of suspension.

(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for acts described in items #6 through #13 and #17 through #19 under "Grounds for Suspension and Expulsion" may be instead 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

Readmission procedures shall be as follows:

1. On the date set by the Board when it ordered the expulsion, the district shall consider readmission of the student. (Education Code 48916)
2. 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.
3. The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session if information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it shall be honored.
4. 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.
5. 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)
6. 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. (Education Code 48916)
7. 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)

Maintenance of Records

The Board shall maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls, within five days of a written request by the admitting school. (Education Code 48900.8, 48918(k))

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district. (Education Code 48915.1)

(cf. 5119 - Students Expelled from Other Districts)

(cf. 5125 - Student Records)

Notifications 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 also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering or sale of controlled substances, alcohol, or intoxicants of any kind. (Education Code 48902)

Ouome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion.
2. The grounds for each recommended expulsion.
3. Whether the student was subsequently expelled.
4. Whether the expulsion order was suspended.
5. The type of referral made after the expulsion.
6. The disposition of the student after the end of the expulsion period.

Regulation: REDLANDS UNIFIED SCHOOL DISTRICT

Approved: June 27, 1995, Redlands, California

(D) Procedures to Notify Teachers of Dangerous Pupils (EC 49079)

Pursuant to legislative Bill AB 29 and California Education Code Section 49079, a notice is sent to inform teachers that they have a legal right to review the cumulative file of each pupil who has engaged in, or is reasonably suspected to have engaged in any of the acts described in any of the subdivisions, except subdivision (h), of section 48900.

(E) Sexual Harassment Policies (EC 212.6 [b])

Policy 4119.11: Sex Discrimination and Sex-Based Harassment

The Governing Board is committed to providing a safe work environment that is free of harassment and intimidation. The Board prohibits sexual harassment against district employees by anyone, in any manner, and prohibits retaliatory action or behavior against any persons who complains, testifies, or otherwise participates in the complaint process established pursuant to this policy and accompanying administrative regulation. This policy shall apply to all district employees, interns, volunteers, contractors, job applicants, and other persons with an employment relationship with the district.

(cf. 0410 - Nondiscrimination in District Programs and Activities) (cf. 4030 - Nondiscrimination in Employment)

Sexual harassment includes, but is not limited to, harassment that is based on the sex, gender, gender identity, gender expression, or sexual orientation of the victim and harassment based on pregnancy, childbirth, or related medical conditions.

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation, and correction of sexual harassment, including but not limited to:

1. Providing training to all staff in accordance with law and administrative regulation.
2. Publicizing and disseminating the district's sexual harassment policy to staff.
3. Ensuring prompt, thorough, equitable, and fair investigation of complaints
4. Taking timely and appropriate corrective/remedial actions which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments.

The Superintendent or designee shall periodically evaluate the effectiveness of the district's strategies to prevent and address harassment. Such evaluation may involve conducting regular anonymous employee surveys to assess whether harassment is occurring or is perceived to be tolerated, partnering with researchers or other agencies with the needed expertise to evaluate the district's prevention strategies, and using any other effective tool for receiving feedback on systems and/or processes. As necessary, changes shall be made to the harassment policy, complaint procedures, or training.

Sexual Harassment Reports and Complaints

Any district employee who feels that he/she has been sexually harassed in the performance of their district responsibilities or who has knowledge of any incident of sexual harassment by or against another employee shall immediately report the incident to his/her supervisor, the principal, other district administrator, or the district's Title IX Coordinator. However, an employee may bypass his/her supervisor in filing a complaint if the supervisor is the subject of the complaint. A supervisor, principal, or district administrator who receives a harassment complaint shall promptly notify the Title IX Coordinator.

Once notified, the Title IX Coordinator shall ensure the complaint or allegation is addressed through AR 4119.12/4219.12/4319.12 – Title IX Sexual Harassment Complaint Procedures or AR 4030- Nondiscrimination in Employment, as applicable. Because a complaint or allegation that is dismissed or denied under the Title IX complaint procedure may still be subject to consideration under state law, the Title IX Coordinator shall ensure that any implementation of AR 4119.12/4219.12/4319.12 concurrently meets the requirements of AR 4030.

Notwithstanding the above, BP/AR 4119.12/4219.12/4319.12 and 4030 shall under no circumstances be used to resolve complaints brought by, on behalf of, or against students. All complaints brought by, on behalf of, or against students that allege "sexual harassment" as that term is defined in the federal regulations implementing Title IX of the Education Amendments of 1972 (see 34 C.F.R. § 106, et seq.) shall be investigated and resolved under BP/AR 5145.71. All complaints brought by, on behalf of, or against students that do not meet the definition of "sexual harassment" as set forth in the Title IX implementing regulations shall be investigated and resolved under BP/AR 1312.3.

(cf. 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaints)

The Title IX Coordinator shall offer supportive measures to the complainant and respondent, as deemed appropriate under the circumstances.

Upon investigation of a sexual harassment complaint, any district employee who engages, or participates in sexual harassment, or who aids, abets, incites, compels, or coerces another to commit sexual harassment in violation of this policy is subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Reports) (cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4218 -

Dismissal/Suspension/Disciplinary Action)

Regulation 4119.12: Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures

The complaint procedures described in this administrative regulation shall be used to address any complaint governed by Title IX of the Education Amendments of 1972 alleging that a district employee, while in an education program or activity in which a district school exercises substantial control over the context and respondent, was subjected to one or more of the following forms of sexual harassment: (34 CFR 106.30, 106.44)

1. A district employee conditioning the provision of a district aid, benefit, or service on a person's participation in unwelcome sexual conduct
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291 (cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

All other sexual harassment complaints or allegations shall be investigated and resolved in accordance with AR 4030

- Nondiscrimination in Employment. The determination of whether the allegations meet the definition of sexual harassment under Title IX shall be made by the district's Title IX Coordinator.

(cf. 4030 - Nondiscrimination in Employment)

Because the complainant has a right to pursue a complaint under AR 4030 for any allegation that is dismissed or denied under the Title IX complaint procedure, the Title IX Coordinator shall ensure that all requirements and timelines for AR 4030 are concurrently met while implementing the Title IX procedure.

Reporting Allegations/Filing a Formal Complaint

An employee who is the alleged victim of sexual harassment may submit a report of sexual harassment to the district's Title IX Coordinator using the contact information listed in AR 4119.11/4219.11/4319.11 - Sexual Harassment or to the employee's direct supervisor or other district administrator, who shall forward the report to the Title IX Coordinator within one day of receiving the report. Upon receiving such a report, the Title IX Coordinator shall inform the complainant of the right to file a formal complaint and the process for filing a formal complaint.

A formal complaint, with the complainant's physical or digital signature, may be filed with the Title IX Coordinator in person, by mail, by email, or by any other method authorized by the district. (34 CFR 106.30)

Even if the alleged victim chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations when a safety threat exists. In addition, the Title IX Coordinator may file a formal complaint in other situations as permitted under the Title IX regulations, including as part of the district's obligation to not be deliberately indifferent to known allegations of sexual harassment. In such cases, the Title IX Coordinator shall provide the alleged victim notices as required by the Title IX regulations at specific points in the complaint process.

The Title IX Coordinator, investigator, decision-maker, or a facilitator of an informal resolution process shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. Such persons shall receive training in accordance with 34 CFR 106.45. (34 CFR 106.45)

Supportive Measures

Upon receipt of a report of Title IX sexual harassment, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures and shall consider the complainant's wishes with respect to the supportive measures implemented. Supportive measures shall be offered as appropriate, as reasonably available, and without charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures shall be nondisciplinary, nonpunitive, and not unreasonably burden the other party, including measures designed to protect the safety of all parties or the district's educational environment or to deter sexual harassment. Supportive measures may include, but are not limited to, counseling, extensions of deadlines, modifications of work schedules, mutual restrictions on contact, changes in work locations, leaves of absence, increased security, and monitoring of certain areas of the campus. (34 CFR 106.30, 106.44)

The district shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the district's ability to provide the supportive measures. (34 CFR 106.30)

Emergency Removal

If a district employee is the respondent, the employee may be placed on administrative leave during the pendency of the formal complaint process. (34 CFR 106.44)

If the respondent is a student, the district may, on an emergency basis, remove the student from the district's education program or activity, provided that the district conducts an individualized safety and risk analysis, determines that removal is justified due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations, and provides the student with notice and an opportunity to challenge the decision immediately following the removal. This authority to remove a student does not modify a student's rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973. (34 CFR 106.44)

Dismissal of Complaint

The Title IX Coordinator shall dismiss a formal complaint if the alleged conduct would not constitute sexual harassment as defined in

34 CFR 106.30 even if proved. The Title IX Coordinator shall also dismiss any complaint in which the alleged conduct did not occur in the district's education program or activity or did not occur against a person in the United States, and may dismiss a formal complaint if the complainant notifies the district in writing that the complainant would like to withdraw the complaint or any allegations in the complaint, the respondent is no longer employed by the district, or sufficient circumstances prevent the district from gathering evidence sufficient to reach a determination with regard to the complaint. (34 CFR 106.45)

Upon dismissal, the Title IX Coordinator shall promptly send written notice of the dismissal and the reasons for the dismissal simultaneously to the parties and shall inform them of their right to appeal the dismissal of a formal complaint or any allegation in the complaint in accordance with the appeal procedures described in the section "Appeals" below. (34 CFR 106.45)

If a complaint is dismissed, the conduct may still be addressed pursuant to AR 4030 - Nondiscrimination in Employment as applicable.

Informal Resolution Process

When a formal complaint of sexual harassment is filed, the district may offer an informal resolution process, such as mediation, at any time prior to reaching a determination regarding responsibility. The district shall not require a party to participate in the informal resolution process or to waive the right to an investigation and adjudication of a formal complaint. (34 CFR 106.45)

The district may facilitate an informal resolution process provided that the district: (34 CFR 106.45)

1. Provides the parties with written notice disclosing the allegations, the requirements of the informal resolution process, the right to withdraw from the informal process and resume the formal complaint process, and any consequences resulting from participating in the informal resolution process, including that records will be maintained or could be shared.
2. Obtains the parties' voluntary, written consent to the informal resolution process

Written Notice

If a formal complaint is filed, the Title IX Coordinator shall provide the known parties with written notice of the following: (34 CFR 106.45)

1. The district's complaint process, including any informal resolution process
2. The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known. Such notice shall be provided with sufficient time for the parties to prepare a response before any initial interview. If, during the course of the investigation, new Title IX allegations arise about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.
3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process
4. The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an attorney, and the ability to inspect and review evidence
5. The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process

The above notice shall also include the name of the investigator, facilitator of an informal process, and decision-maker and shall inform the parties that, if at any time a party has concerns regarding conflict of interest or bias regarding any of these persons, the party should immediately notify the Title IX Coordinator.

Investigation Procedures

During the investigation process, the district's designated investigator shall: (34 CFR 106.45)

1. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and

exculpatory evidence

2. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence
3. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney
4. Not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding, although the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as the restrictions apply equally to both parties
5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate
6. Send in an electronic format or hard copy to both parties and their advisors, if any, the evidence obtained as part of the investigation that is directly related to the allegations raised in the complaint, and provide the parties at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report
7. Objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and determine credibility in a manner that is not based on a person's status as a complainant, respondent, or witness
8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review and written response

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. (34 CFR 106.45)

Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.

If the complaint is against an employee, rights conferred under an applicable collective bargaining agreement shall be applied to the extent they do not conflict with the Title IX requirements.

Written Decision

The Superintendent shall designate an employee as the decision-maker to determine responsibility for the alleged conduct, who shall not be the Title IX Coordinator or a person involved in the investigation of the matter. (34 CFR 106.45)

After the investigative report has been sent to the parties but before reaching a determination regarding responsibility, the decision-maker shall afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party.

The decision-maker shall issue, and simultaneously provide to both parties, a written decision as to whether the respondent is responsible for the alleged conduct. (34 CFR 106.45)

The written decision shall be issued within 60 calendar days of the receipt of the complaint.

The timeline may be temporarily extended for good cause with written notice to the complainant and respondent of the extension and the reasons for the action. (34 CFR 106.45)

In making this determination, the decision-maker shall use the "preponderance of the evidence" standard for all formal complaints of sexual harassment. (34 CFR 106.45)

The written decision shall include the following: (34 CFR 106.45)

1. Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR 106.30

2. A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the district includes hearings as part of the grievance process
3. Findings of fact supporting the determination
4. Conclusions regarding the application of the district's code of conduct or policies to the facts
5. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's educational program or activity will be provided by the district to the complainant
6. The district's procedures and permissible bases for the complainant and respondent to appeal

Appeals

Either party may appeal the district's decision or dismissal of a formal complaint or any allegation in the complaint, if the party believes that a procedural irregularity affected the outcome, new evidence is available that could affect the outcome, or a conflict of interest or bias by the Title IX Coordinator, investigator(s), or decision-maker(s) affected the outcome. If an appeal is filed, the district shall: (34 CFR 106.45)

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties
2. Ensure that the decision-maker(s) for the appeal is trained in accordance with 34 CFR 106.45 and is not the same decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator
3. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome
4. Issue a written decision describing the result of the appeal and the rationale for the result
5. Provide the written decision simultaneously to both parties

An appeal must be filed in writing within 10 calendar days of receiving the notice of the decision or dismissal, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered.

A written decision shall be provided to the parties within 20 calendar days from the receipt of the appeal.

Either party has the right to file a complaint with the U.S. Department of Education's Office for Civil Rights within 180 days of the date of the most recently alleged misconduct.

The complainant shall be advised of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal antidiscrimination laws, if applicable.

Remedies

When a determination of responsibility for sexual harassment has been made against the respondent, the district shall provide remedies to the complainant. Such remedies may include the same individualized services described above in the section "Supportive Measures," but need not be nondisciplinary or nonpunitive and need not avoid burdening the respondent. (34 CFR 106.45)

Disciplinary Actions

The district shall not impose any disciplinary sanctions or other actions against a respondent, other than supportive measures as described above in the section "Supportive Measures," until the complaint procedure has been completed and a determination of responsibility has been made. (34 CFR 106.44)

When an employee is found to have committed sexual harassment or retaliation, the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Report)

(cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4119.11/4219.11/4319.11 - Sexual Harassment) (cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Record-Keeping

The Superintendent or designee shall maintain, for a period of seven years: (34 CFR 106.45)

1. A record of all reported cases and Title IX investigations of sexual harassment, any determinations of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary sanctions imposed, any remedies provided to the complainant, and any appeal or informal resolution and the results therefrom.
2. A record of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment, including the district's basis for its conclusion that its response was not deliberately indifferent, the measures taken that were designed to restore or preserve equal access to the education program or activity, and, if no supportive measures were provided to the complainant, the reasons that such a response was not unreasonable in light of the known circumstances.
3. All materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process. The district shall make such training materials publicly available on its web site, or if the district does not maintain a web site, available upon request by members of the public.

(cf. 1113 - District and School Web Sites) (cf. 3580 - District Records)

(F) School-wide Dress Code Relating to Gang-Related Apparel (EC 35183)

Policy 5132.16: Student Dress Guidelines

The Governing Board believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Students' clothing must not present a health or safety hazard or a distraction which would interfere with the educational process.

Students and parents/guardians shall be informed about dress and grooming standards at the beginning of the school year and whenever these standards are revised. A student who violates these standards shall be subject to appropriate 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 dress code may be included as part of the school safety plan and must be presented to the Board for approval. The Board shall approve the plan upon determining that it is necessary to protect the health and safety of the school's students.

Uniforms

The Board recognizes that, in order to promote student safety and discourage peer rivalry and/or gang activity, the principal, staff and parent/guardian at a school site may wish to establish a reasonable dress code, which may include voluntary school uniforms.

Dress codes, which include voluntary school uniforms, may be included as part of the school safety plan submitted as required.

The Superintendent or designee shall establish procedures that schools, parents and guardians will follow if they decide to participate with the voluntary school uniform policy. Students shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardian decide not to participate.

The Governing Board feels that there is nothing inherently wrong with dress or color of dress, but when student's dress serves to intimidate or impede the rights of other students it will be determined that dress is in violation of this policy. A student may not remain at school dressed in a manner which (1) creates a safety hazard for said student or for other students at school, and/or (2) when the dress constitutes a serious and unnecessary distraction to the learning process or tends to disrupt campus order

When the site administrator/designee determines that a student's attire is in violation of this policy, the student will be required to modify his/her clothing and/or apparel in such a manner that it no longer violates this policy. If necessary, the student may be taken or sent home with parental permission to modify unacceptable dress and return to school. Refusal to take steps as described in this policy shall be cause for disciplinary action against the student. Any such disciplinary action shall be handled pursuant to existing student disciplinary policy

Parents/guardians have primary responsibility to see that students are properly attired for school. School district personnel have the responsibility for maintaining proper and appropriate conditions conducive to learning. Hence, the following guidelines will be implemented in all district schools.

1. Shoes will be worn at all times. A substantial sole is required and enclosed toe and heel footwear are highly encouraged.
2. Extremely brief garments that are distracting to the educational environment are not appropriate. Clothing shall be sufficient to conceal undergarments at all times.
3. Clothing or accessories shall be free of writing, pictures or any other insignia which are crude, violent, obscene or sexually suggestive or which advocate racial, ethnic or religious prejudice or the use of tobacco, drugs or alcohol.
4. Earrings, jewelry, or accessories which present a safety hazard to the wearer or others are not suitable for school wear.
5. Only prescription sunglasses may be worn in class. Other types of sunglasses may be worn on campus outside of class.
6. Identified gang attire such as bandannas, haircuts or hair rollers, or any gang paraphernalia are prohibited.

Students are allowed to wear sun protective clothing, including hats, while outdoors during the school day. Each school site will develop a policy indicating the type of sun protective hats that are permitted.

No grade of a student participating in a physical education class shall be adversely affected if the student does not wear standardized physical education apparel because of circumstances beyond the student's control. (Education Code 49066) All clothing worn during physical education shall meet reasonable safety standards.

The purpose of adopting these Student Dress Guidelines is not to infringe on any individual student's rights to freedom of expression, but rather to encourage students to dress appropriately and come to school properly prepared for participating in the educational process.

Gang-Related Apparel

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed as needed and updated as necessary.

Uniforms

In schools where a majority of parents respond and indicate on a survey that they desire to establish a voluntary school-wide uniform dress code, the principal, staff and the parents/guardians of the individual school site shall:

1. Jointly select the specific uniform to be worn. (Education Code 35183)
2. Describe the uniform parts and identify local vendors who sell those pieces of clothing. A description of the implementation of the voluntary uniform dress code will be submitted to the superintendent's designee including:
 - a. The process for parent notification
 - b. Positive procedures that will be used to encourage students to participate with the voluntary uniform dress code
3. A description of the uniform and a list of costs for each competitively priced item of clothing as provided by a variety of vendors will be sent to parents.
4. Parents will be notified that this is a voluntary uniform dress code and that students not participating shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardians so decide.

Parent Notification

The principal shall give parents/guardian at least six months notice before a school site implements a voluntary school uniform dress code. (Education Code 35183)

(G) Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School (EC 35294.2)

Teachers raptor in each morning in the front office mail room. Parents, visitors, outside workers

(H) A Safe and Orderly School Environment Conducive to Learning (EC 35294.2)

Component:

Physical Environment

The Schools' Location and Physical Environment

Clement Middle School is located in the Redlands area of San Bernardino County that has an average crime rate and poverty level. The immediate area round the school includes the Redlands Community Field and neighborhood homes. Present safety hazards include a short perimeter fence off of San Bernardino Ave..

Description of School Grounds

The school site encompasses 22.6 acres. The grounds are grass, concrete and asphalt and includes basketball and volleyball courts, baseball diamonds and a lined track. There are several wings and/or clusters of classrooms including 41 classrooms 14 re-locatable classrooms. Other ancillary structures include two 40 foot land/sea containers located on the blacktop area at the west end of the cafeteria and north of the staff parking lot. One land/sea container is used to store disaster preparedness supplies. One land/sea container is used for storage..

During the school day, staff members and administrators shall provide campus supervision. Identified problem areas receive increased supervision to reduce discipline, crime, or other school safety concerns.

It shall be the practice of Clement Middle School to remove all graffiti from school property before pupils arrive to begin their school day. Other acts of vandalism are promptly addressed.

Maintenance of School Buildings/Classrooms

The school's physical facility is well maintained and generally looks neat and clean. The school was most recently painted in 2020 and renovated during the 2019-2020 school year. District personnel periodically examine the school's physical facility and help eliminate obstacles to school safety. Additionally, health and fire department inspectors contribute to school safety.

An outdoor learning center has been created outside our FDR with sitting rocks and trees for classes to use. We have been continuing to update and clear our drainage systems due to tree roots blocking the pipes as well as improving our perimeter fences.

Internal Security Procedures

Clement Middle School has established procedures in the following areas: California Safe School Assessment (CSSA) reporting procedures, suspension and expulsion procedures, inventory system, and Behavior Intervention, Restorative Practices, Conflict Mediation, No Contact Contracts, Return from Suspension meetings, Suspension Intervention Meetings and more as needed to help support students..

Clement Middle School crime statistics reflect a total of 96 Suspensions crimes reported during the 2021-2022 school year.

Keeping reportable crimes at a minimum requires constant vigilance. The following strategies will be utilized in achieving this goal Supervision provided by school staff, utilization of a team of Campus Monitors, weekly meetings with Administration, Counselors, and Safety Staff, a firm, fair, and consistent approach to violations of school rules, a progressive discipline model, daily Zone Checks, and more.

Clement Middle School maintains a copy of the district's sexual harassment policy in the main office/principal's office and the policy is available on request. The District's Sexual Harassment Policy contains dissemination plans, applicable definitions, reporting requirements, investigation procedures, enforcement regulations, and information related to suspension and/or expulsion for sexual harassment of or by pupils. Additionally, a notice summarizing this sexual harassment policy appears in the Parent & Student Handbook. The parent student handbook is distributed at the beginning of each school year to all parents and pupils.

To ensure the safety of pupils and staff, all visitors to the campus, except pupils of the school and staff members, shall register immediately upon entering any school building or grounds when school is in session. District employees, not assigned to Clement Middle School shall wear appropriate identification badges while on campus conducting business.

Discipline procedures shall focus on finding the cause of problems and working with all concerned to reach the proper, lawful solutions. The school's discipline plan begins at the classroom level. Teachers shall use a visible classroom management plan to communicate classroom rules, promote positive pupil conduct, and reduce unacceptable conduct. Appropriate consequences are administered based on the seriousness of the pupil's misbehavior.

Pupil conduct standards and consequences for Clement Middle School are specifically described in this Comprehensive Schools Safety Plan including: (a) the adopted school discipline rules and procedures, (b) District Disciplinary Guidelines, and (c) the adopted school-wide dress code.

Pupils may be suspended, transferred to another school, or recommended for expulsion or for certain acts. For specific student violations, a mandatory expulsion recommendation shall be submitted by the administration of Clement Middle School.

Site administrators contribute to a positive school climate, promote positive pupil behavior, and help reduce inappropriate conduct. The principal/designee uses available district and other appropriate records to inform teachers of each pupil identified under E.C. 49079.

Law enforcement is contacted and consulted to help maintain and to promote a safe and orderly school environment. Clement Middle School employees comply with all legal mandates, regulations, and reporting requirements for all instances of suspected child abuse.

If appropriate, additional internal security procedures affecting the integrity of the school facility include: Reviewing and practicing drills for lockdowns, high-alert lockdowns, fires, earthquakes, and more. We have installed a switch to toggle all doors equipped with toggle locks (Admin, MPR, the hallway door between the MPR and kitchen, the Student Center, and the Library) to lock upon activating.

Community involvement is encouraged to help increase school safety.
All visitors must check in the front office and have their ID checked with the RAPTOR system.

Inventory System - Engraved ID, Security Storage

Most school-site equipment has a metal ID tag or a bar cod sticker adhered to its surface. These items are inventoried annually and there is an established accountability system. Office and classroom supplies are secured.

Element:

Goal 1:

Maintain a safe, secure, and clean physical environment and facilities.

Opportunity for Improvement:

I. Areas of Pride and Desired Improvements

a. Pride

1. Clement Middle School's custodial team keeps our facilities clean and in working order.
2. Clement Middle School's staff work closely with many organizations and resources to offer support to students in need.

b. Areas of Desired Improvement

1. There are ongoing facility needs that arise (plumbing, draining, painting, general maintenance).
2. Clement Middle School strives to improve upon opportunities for parents to work with the school to to identify and solve behaviors of concern.

Objectives	Action Steps	Resources	Lead Person	Evaluation
II. Desired Change #1 Clement Middle School would like to continue improving upon and maintaining our already clean, safe, and secure campus and its physical appearance.	<p>a. Related Strategies and Activities</p> <p>1. Regular meetings and ongoing communication with custodial staff, student work days, student rewards for practicing good cleaning habits and helping to maintain the physical appearance of our campus.</p> <p>2. Ongoing communication and regular meetings with Campus Safety Staff to ensure a safe and secure campus.</p>	<p>b. Resources Required</p> <p>1. Continuing to work with the District Office on improving our cameras as well as safety radios on campus.</p> <p>2.</p> <p>e. Budget</p> <p>1. Principal purchases equipment and supplies as needed throughout the school year.</p> <p>2.</p>	<p>c. Personnel Assignments</p> <p>1. Campus Safety Officers and campus monitors routinely make security rounds throughout the campus as indicated on schedules/assignments and are logged in Progress Advisor daily.</p> <p>2. Campus Safety Officers, Campus Monitors, Counselors, and Administration are assigned locations to supervise campus throughout the day.</p>	<p>f. Evaluation criteria</p> <p>1.</p> <p>2.</p> <p>d. Timeframe for completion</p> <p>1. Ongoing.</p> <p>2.</p>
III. Desired Change #2 Improved sense of security and familiarity with disaster response drills.	<p>a. Related Strategies and Activities</p> <p>1. Practice all drill types throughout the school year (with prior knowledge of school personnel) to improve response time. Some drills are not announced to determine additional areas of need. Areas of need and debriefs are done with whole staff to ensure familiarity of process.</p> <p>2. Update map to include location of Knox boxes, fire pull stations, and roof access points. In addition, including an overhead picture to show building numbers on roof as well as a go bag/folder in office for Comprehensive School Safety Plan for emergency responders.</p>	<p>b. Resources Required</p> <p>1. There are 5 "Go Bags" on campus in the Administration Office, Student Center and Safety Office.</p> <p>2.</p> <p>e. Budget</p> <p>1. Principal purchases equipment and supplies as needed throughout the school year.</p> <p>2.</p>	<p>c. Personnel Assignments</p> <p>1. Staff is assigned to the Clement Emergency Response Teams (First Aid/Medical Team, Psychological Team, Search and Rescue Teams Security/Utility Team, Supply Equipment Team, Assembly Area Team, Request Gate Team, Reunion Gate Team, Fire Suppression and Hazmat Team).</p> <p>2. Personnel Assignments continue to be updated as staff changes yearly.</p>	<p>f. Evaluation criteria</p> <p>1. Data collected from drill practice via Raptor, and is debriefed with staff and Safety Committee monthly.</p> <p>2.</p> <p>d. Timeframe for completion</p> <p>1. Ongoing. Safety and Disaster Plan is a fluid document and monitored through the school year.</p> <p>2.</p>

Component:
School Climate

The School's Social Environment
Comprehensive School Safety Plan

Leadership at Clement Middle School is a shared process. A proactive role is assumed in all phases of the school operation. The current management team is committed to developing Clement Middle School toward excellence in the areas of academic and social behavior.

The principal sets a positive tone for the school, guides the staff and works closely with them on curriculum and school safety issues. The school site's organizational structure is open and flexible contributing to sensitivity concerning school safety issues and promoting a safe, orderly school environment conducive to learning.

Disaster Procedures, Routine and Emergency

A contingency plan for emergencies is contained in a handbook available to each staff member. The District's Emergency Response Plan - (ERP Plan) is listed at the last section of this plan. The plan is reviewed at the beginning of each school year. This plan also contains available district and outside agency resources, emergency disaster procedures and information on Standardized Emergency Management System (SEMS).

Classroom Organization and Structure

Clement Middle School teachers provide a varied learning environment in their classrooms. Teachers use a variety of teaching strategies including: direct instruction, differentiated instruction, cooperative/collaborative learning, utilizing technology in the classroom (Newline Boards have been purchased by the RUSD for all teachers), inquiry-based instruction, lecturing, labs, group work, public speaking, presentations, cross-curricular projects, distance learning, and more.

The teachers at Clement Middle School are highly qualified, with many teachers holding advanced degrees. The staff is united in their desire to provide quality education for all pupils. Classrooms and teachers provide safe, orderly learning environment, enhance the experience of learning, and promote positive interactions amongst pupil and staff. Instructional time is maximized and disruptions are minimized.

The School's Cultural Environment

There is a high level of cohesiveness among the staff members at Clement Middle School. Cooperation and support between teachers and the administration is evident. Efforts are made by the administration and staff to show concern for all pupils.

All pupils are expected to behave in a manner that promotes safety and order. Pupils are encouraged to bring problems to the principal, assistant principal, counselor, teacher or other staff members. The everyday goal is for the staff to be proactive rather than reactive in all situations of concern.

The academic and behavior efforts of pupils are recognized and rewarded.

Cultural diversity is celebrated throughout the year by teaching tolerance and respect of others throughout the year and celebrating the differences between cultures by participating in classroom activities and lessons, Black History Month activities, participation in the District Multi-Cultural Fair, and field trip(s) to the Museum of Tolerance, for example..

Element:

Goal 2:

Give a School climate survey to parents and students.

Opportunity for Improvement:

I. Areas of Pride and Desired Improvements

a. Pride

1. Clement Middle School fosters safety, promotes a supportive academic/disciplinary/physical environment, and encourages and maintains respectful, trusting, and caring relationships. In addition staff incorporates social and emotional learning in daily lessons in classrooms.

2. Clement Middle School has implemented PBIS through the school wide focus of The Viking Way. School Wide Expectations promote showing respect, responsibility, and being your best at all times. We are a PBIS Silver School and are continuing the improvement process to move to Gold.

b. Areas of Desired Improvement

1. Increase the number of after school, before school, lunch-time clubs and activities for students to be involved with.
2. Decrease excessive tardies, truancies, chronic absenteeism and suspensions.

Objectives	Action Steps	Resources	Lead Person	Evaluation
II. Desired Change #1 Clement Middle School would like to continue to increase student and parent perception of a positive school climate.	<p>a. Related Strategies and Activities</p> <ol style="list-style-type: none"> 1. School-wide implementation of Clement School School-Wide Expectations regarding The Viking Way. School-wide implementation of positive behavior interventions and supports with students staff, and community. 2. School-wide discipline data analysis and school culture surveys as well as using various communication to our parents/guardians (Parent Portal, Social Media, Peachjar, Bulletin, School Website, etc...) 	<p>b. Resources Required</p> <ol style="list-style-type: none"> 1. To be determined by survey. 2. <p>e. Budget</p> <ol style="list-style-type: none"> 1. To be determined by survey. 2. 	<p>c. Personnel Assignments</p> <ol style="list-style-type: none"> 1. To be determined by survey. 2. 	<p>f. Evaluation criteria</p> <ol style="list-style-type: none"> 1. Discipline data analysis. 2. Parent/student climate survey <p>d. Timeframe for completion</p> <ol style="list-style-type: none"> 1. Yearly, end of school year review and reflection. 2.
III. Desired Change #2	<p>a. Related Strategies and Activities</p> <ol style="list-style-type: none"> 1. 2. 	<p>b. Resources Required</p> <ol style="list-style-type: none"> 1. 2. <p>e. Budget</p> <ol style="list-style-type: none"> 1. 2. 	<p>c. Personnel Assignments</p> <ol style="list-style-type: none"> 1. 2. 	<p>f. Evaluation criteria</p> <ol style="list-style-type: none"> 1. 2. <p>d. Timeframe for completion</p> <ol style="list-style-type: none"> 1. 2.

(I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5)

Clement Middle School Student Conduct Code

Procedures to Ensure a Safe and Orderly Environment

Rules and Procedures on School Discipline

Philosophy of Discipline

- Behavior expectations and the consequences for not meeting expectations must be clearly communicated to all students and their parents (in writing as well as verbally).
- The severity of consequences for violating behavior expectations increases with each incident of inappropriate behavior.
- The consequences for violating behavior expectations should be severe enough to discourage students from making poor behavior decisions.
- Expectations and consequences should permit students an opportunity to eliminate inappropriate behavior.

Additionally, the school staff recognizes that the middle school years are a transition time from adolescence to young adulthood. As a part of this transition, the student is given greater opportunities to be responsible and demonstrate independence and good judgment. The structure of our behavior expectations (in the classroom as well as school wide) is meant to encourage students to be responsible. The first step in many instances of inappropriate behavior (those considered to be "minor") is a simple warning ("Your behavior is unacceptable. Please stop such behavior"). It is only when a student ignores such warnings and continues to choose to act irresponsibly (like a child rather than an emerging adult) that we involve parents and implement consequences.

Elements of a Good Discipline Program

1. The program is focused upon making the entire campus, especially the classroom, a safe, supportive and orderly environment for learning for students and staff.
2. Classroom authority is retained by the classroom teacher. (Administration's role is to support, not to replace.)
3. Rules and procedures are clearly understood by staff and students.
4. All staff members will acknowledge and take appropriate action on any minor or major infraction of the school rules.
5. Rules and procedures comply with State Law and District policies.
6. The program recognizes the responsibilities and the rights of students and staff.
7. Program is structured to keep students in class and engaged in the educational process.
8. Rules are enforced:
 - A. by all staff members at all times.
 - B. strictly, but not rigidly (beware of "automatics").
 - C. in substantial part by adult modeling.
 - D. using techniques that promote the growth of positive self-esteem.
 - E. as close to the source as is possible.
 - F. by keeping parents informed.
9. The discipline program is understood, endorsed, and supported by staff, parents, and students.

PRINCIPAL'S STATEMENT TO EDMS STAFF

Expectations in Developing & Maintaining Discipline

As Principal of our school, I will expect;

Each teacher to have a defined system of classroom management. A written description of this system, including representative examples of the progressive interventions you intend to employ, will be approved and filed by me. Whenever possible and appropriate, teachers are encouraged to use standards and systems that are consistent with other village/departments members.

You can expect

Each administrator to assist and support you in every reasonable way in developing, implementing, and refining that system as needed.

I will expect

That when you refer a student for discipline:

1. The student has been made fully aware of classroom and school rules and knows what rules he/she has violated.
2. Teachers within a village will discuss any continuing behavior problems and schedule a team conference with the student and parents when appropriate.
3. That information will be provided on the referral regarding previous actions you have taken regarding this specific issue.
4. You have exhausted the interventions at your disposal (i.e., you have done everything you can do) and you have followed the guidelines established by the administration and staff on what constitutes an appropriate behavior referral.
5. The behavior was so serious or so blatant as to make immediate removal from the classroom necessary.
6. The written referral will be explicit in stating the offense(s).
7. You will send the student out of class with a referral only if his/her continued presence in the class would disrupt or prevent teaching and/or learning.
8. If necessary, the referral will be delivered to the office at a time convenient to the staff member so that the issue may be handled most efficiently, causing a minimum of lost class time.

You can expect

1. Each administrator to support your position in every reasonable way.
2. A response time on your referral of one, or at most, two days.

3. The availability of an administrator to discuss unresolved referrals after school on any given day.
4. That the administrator will exercise independent judgment regarding disposition of referrals.

I will expect

1. That each teacher will go to the doorway of his/her classroom after each class period as often as possible and assume control of student behavior in the corridor.
2. That each staff member will hold students accountable for their behavior on the school grounds at all times.

You can expect

1. Administrator support, investigation, and follow-through as indicated.
2. A response to referrals from incidents outside the classroom to be the same as to those within.

WHAT TO DO WHEN PROBLEMS APPEAR

Both behavioral and academic problems are present in some of our students. Teachers often ask for guidelines for dealing with these problems. Here they are:

1. Talk to the administrator assigned to your grade level.
2. Call parents at first sign of concern. Inform the parents of your observations, ask for their ideas, assistance, and support in serving the student. Keep a log of your calls.
3. If possible, talk privately to the student about your concerns.
4. Behavior concerns—look through students' CUM file. Any official suspensions will be in file, also look for teacher comments on report cards. Look for patterns of behavior. We use In-House Suspension whenever possible, as it is preferable to having students at home unattended—and it saves the district money. Serious infractions (fighting, threats, etc.) do result in official suspension. Unresponsive students can be moved to other schools or expelled.
5. Referrals—please remember if you write a student referral, you are required to call the parents. You are writing the referral and can answer the parents' questions firsthand. Administrators will also call parents, but we can only give secondhand information on the incident.
6. Academic Concerns—again, look through student CUM. This will contain test scores, report cards, and a student history. You may want to ask the grade level administrator to schedule a Student Study Team (SST). This will involve a meeting with the student, parents, administrators, students' teachers, and perhaps the psychologist

Conduct Code Procedures

(K) Hate Crime Reporting Procedures and Policies

(K) Hate Crime Reporting Procedures and Policies

Redlands Unified School District maintains an anonymous tip line where students are encouraged to report vandalism, graffiti, or other crimes. The phone number is: 1-800-78-CRIME or www.wetip.org Families may also use the Sprigeo app to report safety related

concerns to themselves, other students, or the campus.

BULLYING/ HATE CRIME / HARASSMENT / INTIMIDATION / RELATIONAL AGGRESSION can all be reported by using the 1-800-78-CRIME or the SPRIGEO app. If a student believes they or another student is being bullied or harassed, they should report it to a counselor, administrator, or safety officer. Students will be encouraged to fill out the Redlands Unified School District Bullying/Harassment form for ongoing issues. Each report will be investigated, and students will be referred to their counselor for support/resolution.

The Redlands Unified School District Board of Education has established the following: "No student or group of students shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any other student or school personnel." Those who choose to bully will be disciplined according to district policy and the California Education Code. (48900)

(J) Procedures to Prepare for Active Shooters

RUSD LOCK DOWN

CLASSROOM PROCEDURE CHECK-LIST

LOCK DOWN INFORMATION AND LEVELS

Safe & Secure Mode is a security procedure used to reduce student and staff movement outside school buildings. This may be due to a medical emergency, area disturbance, etc. It is designed to allow for school to carry forward but have the ability to move to Lockdown quickly if needed. During the Safe & Secure mode, there is heightened vigilance on campus by all school staff. All recesses and outdoor activities have ended. Parents/ guardians can have access to their student(s) and may check them out of school if they see fit to do so.

Teachers should continue teaching as normal.

Allow students restroom use with clear administrator/ teacher direction.

Increased available staff presence during passing periods and student dismissal.

Lunch/ activities in a more secure area, unless site admin decides otherwise.

Standard inclement weather schedule remains in place, unless site administrator/ designee decides otherwise.

Perimeter gates, where applicable, will remain locked and monitored by available staff, allowing for central access points.

PE classes will be moved off all fields into more secure locations. (e.g., gym, class, & MPR)

Lock Down is called when a law enforcement event is happening in the vicinity of a school.. The law enforcement agency generally, but not always, contacts the school/district to encourage the school site to Lock Down as a precautionary measure. All Administrators are expected to place their school in Lock Down in this scenario.

Take a look outside your classroom and gather up any stray students in the hallways.

Ensure that your door is locked.

If windows are open, close them.

Close all drapes and cover door windows.

Project a calm demeanor to help students remain calm.

Reassure students that they are safe.

Do not allow anyone to leave the classroom.

Frequently check your emails for possible updates from your site administrators.

If students are out on the playground or athletic fields, quickly move them to a secure classroom, locker room, or multi-purpose room.

The release and all clear for any lock down is as follows: A security officer or administrator will physically unlock your door and give you a verbal all clear. All students will continue to remain in class until ALL classes are given the all clear by a security officer or administrator. An all call will then follow to release students to their next period as necessary after ALL classes have been physically cleared.

Critical Alert is called when a significant, threatening event is happening on campus or adjacent to campus that creates a potential danger to students and staff. While this may be communicated to the school by law enforcement, it may also be determined by school officials on the scene. Critical Alert assumes that everyone is prepared for a potential significant threat/event on campus.

Implement all items from the Lock Down list above.

Turn off all lighting, so it will appear that the room is vacant.

Keep all students sitting on the floor, away from the door or windows.

Do not look out the windows.

Cover window on the door (if one exists).

Advise the students that there is a serious situation, but you don't know what it is.

Project a calm demeanor to help students remain calm. Reassure students that they are safe.

Ensure that everyone in the room turns the ringer off on their cell phones.

Do not allow students to talk on their cell phones (keep the room as quiet as possible).

Do not call the office. They are in the midst of a problem and will not be able to answer all the calls which may tie up the phone system.

Quietly take roll and make a list of missing students and any extra students that are in your room. IF POSSIBLE email this list to your administrators and school site secretaries.

Do not evacuate students until you are told to, even if the fire bells go off. If, in fact, there is a need for a fire evacuation, you will be notified via the PA system, email, or phone call.

Do not open the door, even if someone knocks and claims to be a staff member.

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(Administrator/security/custodian will have a master key).

If students are out on the PE field, do not return them to the locker room. Move them to a

safe place (the farthest part of the campus).

Students who are unable to safely enter a structure should run away from the danger and make their way to Lugonia Elementary School, .1 miles west of campus. District personnel will work to identify and reunify those students.

The release and all clear for any lock down is as follows: A security officer or administrator will physically unlock your door and give you a verbal all clear. All students will continue to remain in class until ALL classes are given the all clear by a security officer or administrator. An all call will then follow to release students to their next period as necessary after ALL classes have been physically cleared.

Procedures for Preventing Acts of Bullying and Cyber-bullying

BULLYING / HARASSMENT / INTIMIDATION / RELATIONAL AGGRESSION

Bullying can be defined as the use of intimidation, aggression, and/or cruelty with the result of hurting another person. Bullying carries the ramification of causing pain and stress to the victim. Bullying is never justified and is not excusable as “kids being kids,” “just teasing” or any other rationalization.

Specific types of bullying may include, but is not limited to: physical, verbal, mental/emotional, racist/intolerant, and sexual. It may also include the use of social networks and cell phones. If a student believes they or another student is being bullied or harassed, they should report it to a counselor, administrator, or safety officer. Students will be encouraged to fill out the Redlands Unified School District Bullying/Harassment form for ongoing issues. Each report will be investigated, and students will be referred to their counselor for support/resolution.

The Redlands Unified School District Board of Education has established the following: “No student or group of students shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any other student or school personnel.” Those who choose to bully will be disciplined according to district policy and the California Education Code. (48900)

Safety Plan Review, Evaluation and Amendment Procedures

Safety Plan is reviewed by Safety Committee comprised of staff, parent, and administration, and changes are made by the committee.

Plan is reviewed again by the Safety Committee and approved.

Staff is then given a copy of Safety Plan for their review.

Amendments can be done through Safety Committee should either a parent or staff member point out an item to be reviewed.

Emergency Response Guidelines

Step One: Identify the Type of Emergency

Identify emergency and contact the District Safety Manager, Assistant Superintendent of Compliance, PIO, Director of Secondary Education and appropriate local agency. Initiate lockdown using Raptor. Initiate all call. Lock all doors. Prepare information for first responders. Implement communication plan via Parent Square. Communicate with staff to use provided lockdown procedures. Contact subs and non RUSD staff that are on site.

Step Two: Identify the Level of Emergency

Identify and determine level of emergency to notify appropriate office and officials using provided District color coded student safety list.

Step Three: Determine the Immediate Response Action

Identify and determine level of emergency to notify appropriate office and officials using provided District color coded student safety list.

Step Four: Communicate the Appropriate Response Action

Using Raptor or digital communications, notify all responsible parties of the situation, required response, and safety information.

Types of Emergencies & Specific Procedures

Earthquake

EARTHQUAKE or EARTHQUAKE DRILL

(Earthquake and/or announced via PA system)

Procedure:

Cease all classwork and duck and cover. Exit when safe, or during a drill, wait one full minute after the bell stops ringing or an announcement is made.

Take class lists, emergency backpack, emergency toilet and supplies.

Clear building calmly but rapidly. Evacuate according to evacuation route (see evacuation map in appendix). Use caution, as buildings may be unstable. Upon entering an area, check for the smell of gas or downed power lines and adjust the evacuation route if necessary. If evacuation is deemed unnecessary, an announcement will be made.

Leave the door unlocked. Place a GREEN "OK" or RED "HELP" sign in the window on the south side of the classroom as you leave. Portable classrooms should place the sign in the window nearest the door.

Send Emergency Status Forms with a trusted student runner to the Command Post member standing at the south end of the lower court (in front of Lecture Hall). Maintain supervision of students until you receive further directions. Paraprofessionals should wait with the teacher and class, and if missing should be reported missing on the Emergency Status Form. Wait for an announcement from administration using megaphone, or a long "All Clear" bell to ring to signal return to class.

Additional Information:

Report to Command Post if on planning period. Team leaders report to the Command Post when directed to do so. After taking attendance and sending Emergency Status form in, all Search and Rescue Team Members should inform nearby teacher to watch his/her class and report to the Command Post.

If an earthquake or earthquake drill takes place when students are not in classrooms (before school, passing period, tutorial, lunch) students will evacuate according to the evacuation route. When they reach the lower field, they will line up with their 1st period teacher.

If an earthquake or earthquake drill takes place after school, students will evacuate according to the evacuation route and line up with their 1st period teacher.

Fire in Surrounding Area

FIRE or FIRE DRILL

(Fire alarms set off and/or announced via PA system)

Procedure:

Cease all classwork.

Take class lists, emergency backpack, emergency toilet and supplies.

Clear building calmly but rapidly. Evacuate according to the evacuation route (see Evacuation map). Use caution, as buildings may be unstable. Upon entering an area, check for the smell of gas or downed power lines and adjust the evacuation route if necessary. If evacuation is deemed unnecessary, an announcement will be made.

The teacher must be the last person out to close the door. Do not lock the door. Place a GREEN "OK" or RED "HELP" sign in the window on the south side, if applicable, side of the classroom as you leave.

If a drill takes place while students are not in class, grab the emergency backpack and class lists and go to the field area. Your FIRST period students will report to you on the field.

Send Emergency Status Forms with a trusted student runner to the Command Post member standing at the south end of the lower court (in front of the Lecture Hall). Maintain supervision of students until you receive further directions. Paraprofessionals should wait with the teacher and class, if missing should be reported missing on Emergency Status Form. Wait for an announcement from administration using a megaphone, or a long "All Clear" bell to ring signaling everybody to return to class.

Additional Information:

Report to Command Post if on planning period. Team leaders report to the Command Post when directed to do so. After taking attendance and sending Emergency Status form in, all Search and Rescue Team Members should inform a nearby teacher to watch his/her class and report to Command Post.

If a fire or fire drill takes place when students are not in classrooms (before school, passing period, tutorial, lunch) students will evacuate according to the evacuation route. When they reach the lower field, they will line up with their 1st period teacher.

If a fire or fire drill takes place after school when students are still present, evacuate according to the evacuation route and students will line up with their 1st period teacher.

Fire on School Grounds

FIRE or FIRE DRILL

(Fire alarms set off and/or announced via PA system)

Procedure:

Cease all classwork.

Take class lists, emergency backpack, emergency toilet and supplies.

Clear building calmly but rapidly. Evacuate according to the evacuation route (see Evacuation map). Use caution, as buildings may be unstable. Upon entering an area, check for the smell of gas or downed power lines and adjust the evacuation route if necessary. If evacuation is deemed unnecessary, an announcement will be made.

The teacher must be the last person out to close the door. Do not lock the door. Place a GREEN "OK" or RED "HELP" sign in the window on the south side, if applicable, side of the classroom as you leave.

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If a drill takes place while students are not in class, grab the emergency backpack and class lists and go to the field area. Your FIRST period students will report to you on the field.

Send Emergency Status Forms with a trusted student runner to the Command Post member standing at the south end of the lower court (in front of the Lecture Hall). Maintain supervision of students until you receive further directions. Paraprofessionals should wait with the teacher and class, if missing should be reported missing on Emergency Status Form. Wait for an announcement from administration using a megaphone, or a long "All Clear" bell to ring signaling everybody to return to class.

Additional Information:

Report to Command Post if on planning period. Team leaders report to the Command Post when directed to do so. After taking attendance and sending Emergency Status form in, all Search and Rescue Team Members should inform a nearby teacher to watch his/her class and report to Command Post.

If a fire or fire drill takes place when students are not in classrooms (before school, passing period, tutorial, lunch) students will evacuate according to the evacuation route. When they reach the lower field, they will line up with their 1st period teacher.

If a fire or fire drill takes place after school when students are still present, evacuate according to the evacuation route and students will line up with their 1st period teacher.

Pandemic

Blood Borne Pathogen Incident Reporting Form and Exposure Control Plan

Policy 5141.22: Infectious Diseases

The Governing Board desires to protect students from risks posed by exposure to infectious diseases while providing an appropriate education for all students.

The Superintendent or designee shall determine whether to admit a student with an infectious disease, and shall exclude students only in accordance with law. In making this determination, he/she shall consult the student's parents/guardians, the student's physician and/or the county health department, in accordance with law and consistent with confidentiality provisions. Because bloodborne pathogens such as hepatitis B virus, hepatitis C virus and human immunodeficiency virus (HIV) are not casually transmitted, the sole presence of bloodborne pathogens is not sufficient reason to exclude students from attending school.

cf. 5112.2 - Exclusions from Attendance)
(cf. 5141.26 - Tuberculosis Testing)
(cf. 5141.3 - Health Examinations)
(cf. 6158 - Independent Study)
(cf. 6159 -Individualized Education Program)
(cf. 6183 - Home/Hospital Instruction)

Parents/guardians are encouraged to inform the Superintendent or designee if their child has an infectious disease so that school staff may work cooperatively with the student's parents/guardians to minimize the child's exposure to other diseases in the school setting. The Superintendent or designee shall ensure that student confidentiality rights are strictly observed in accordance with law. No district employee shall release medical information, including knowledge of a bloodborne pathogen infection, without written consent from the parent/guardian or adult student. Such information shall be shared only with those persons specifically named in the written permission.

(cf. 5125 - Student Records)
(cf. 5022 -Student and Family Privacy Rights)

The Board requires students and staff to routinely observe universal precautions to prevent exposure to bloodborne pathogens and to prevent the spread of all infectious disease.

cf. 4119.42/4219.42/4319.42 -Exposure Control Plan for Bloodborne Pathogens)
(cf. 4119.43/4219.43/4319.43 - Universal Precautions)
(cf. 5141.23 - Infectious Disease Prevention)

The Superintendent or designee shall ensure that the district's health education program provides information about the nature of bloodborne pathogens and their transmission.

(cf. 5141.6 - Student Health and Social Services)
(cf. 6142.2 - Sexual Health and HIV/AIDS Prevention Instruction)
(cf. 6142.8 - Comprehensive Health Education)

Blood Borne Pathogens - Safety Practices

Procedures and Regulations

1. General

1.1 While recognizing that both students and employees diagnosed with an infectious blood borne disease are entitled to a confidential relationship between themselves, the medical community and/or other agencies, the Board of School Trustees encourages these individuals to meet with the School Principal and/or Superintendent of Schools to discuss their disease and immediate and future needs.

1.2 Assessment

2. Students:

2.1. The Superintendent (or designate) will be informed, by the school principal as soon as is known, of any student infected with an infectious blood borne disease.

2.2. A Risk Assessment will be conducted using a team approach including the personal physician, public health personnel, the parent or guardian, and school district personnel as appropriate and will make recommendations about the type of educational and care setting based on the following:

- a. Behavior, neurological development and physical condition of the child;
- b. Type of interaction expected with others.
- c. What the potential is for exposure
- d. Areas for potential for exposure
- e. How exposure may happen
- f. Who needs to know?
- g. What will happen if there is a risk of exposure?

2.3. The team will consider the risk to others in the workplace, whether or not the individual is healthy enough to continue to attend school, and what precautions should be taken to ensure the safety and health of others.

a. The identity of infected students will remain confidential and restricted to those who need to know or are required to be informed.

2.4. Decisions on attendance at school are dependent on the circumstances of each individual case. Regular evaluation of the appropriateness of attendance will be conducted.

2.5. The Board will be notified immediately when the team considers the health condition of a student to be a danger to the immediate health and welfare of a school, its students or employees of the Board.

a. Upon being notified of the team's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

3. Employees

3.1. The Superintendent will be informed, by district staff as soon as is known, of any employee infected with an infectious blood borne disease.

3.2. Employees with an infectious blood borne disease, who are able to carry out the essential duties of their jobs in a satisfactory manner without posing a health or safety risk to themselves or others, will be entitled to continue their work.

3.3. Decisions regarding potential health or safety hazards will be made on a case-by-case basis in consultation with the employee, the personal physician and district personnel as appropriate.

3.4. The identity of infected employees will remain confidential and restricted to those who need to know or are required to be informed.

3.5. The Board will be notified immediately if the Superintendent considers the health condition of an employee to be a danger to the immediate health and welfare of a school, its students or other employees of the Board.

a. Upon being notified of the Superintendent's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

4. Hygienic Safety Practices

4.1. All employees will follow "Universal Infection Control Precautions" by assuming that blood and other body fluids from all individuals are potentially infectious. These precautions include:

- a. Routinely using gloves when anticipating contact with blood
- b. Immediately washing hands and other skin surfaces after removal of gloves and/or contact with blood

4.2. Schools will be provided with appropriate protective equipment including disposable waterproof gloves (natural rubber latex, neoprene, nitrile, or vinyl), tongs or pliers and proper sharps containers.

4.3. Schools' medical room mattresses will be either vinyl-coated beds or cloth mattress with a protective vinyl (plastic) covering so that they can be cleaned as needed with a bleach solution.

4.4. Blankets can be cleaned as needed by forwarding them, in a clearly labeled plastic bag, to the Assistant Supervisor Operations at the Facilities Office.

5. Universal Precautions

5.1. Universal Precautions to prevent transmission of blood-borne disease will be followed. Universal Precautions is the term for infection control measures endorsed by the Canadian Centre for Occupational Health and Safety for workers who might come into contact with blood and other body fluids. In summary they include:

- a. Wash hands for 30 seconds after contact with blood and other body fluids contaminated with blood.
- b. Wear disposable latex gloves when you encounter blood, body fluids, or when cleaning cuts, scrapes or wounds. Wash your hands as soon as you remove your gloves. Dispose gloves in a plastic bag.
- c. Use disposable absorbent material like paper towels to stop bleeding.
- d. Discard bloodstained material in a sealed plastic bag and deposit in the garbage. Label as containing blood-tainted material.
- e. Cover cuts or scrapes with a bandage until healed.
- f. Immediately protect staff and students from coming in contact with blood-soiled surfaces. The area must be disinfected with a fresh solution of one part bleach and nine-parts water (10% bleach solution).

Mops or brushes used for cleaning should be soaked in a bleach solution for 20 minutes.

(Note: The custodial department will provide each school with the product for dissolving in water to provide the bleach solution.)

6. Identification of Risks of Occupational Exposure

6.1. In accordance with the Occupational Health and Safety Regulations (section 6.35), the district's Health & Safety Coordinator will develop and maintain a list of positions and/or tasks and procedures where there is a potential for occupational exposure to a blood borne pathogen.

6.2. Employees who have, or may have, occupational exposure to the hepatitis B virus, will upon request, receive a hepatitis B vaccination (section 6.39, OH&S Regs).

6.3. Employees who may have been exposed to a blood borne pathogen in an exposure incident will be advised to immediately seek medical attention

Blood Borne Pathogen Incident Reporting Form and Exposure Control Plan

Policy 5141.22: Infectious Diseases

The Governing Board desires to protect students from risks posed by exposure to infectious diseases while providing an appropriate education for all students.

The Superintendent or designee shall determine whether to admit a student with an infectious disease, and shall exclude students only in accordance with law. In making this determination, he/she shall consult the student's parents/guardians, the student's physician and/or the county health department, in accordance with law and consistent with confidentiality provisions. Because bloodborne pathogens such as hepatitis B virus, hepatitis C virus and human immunodeficiency virus (HIV) are not casually transmitted, the sole presence of bloodborne pathogens is not sufficient reason to exclude students from attending school.

(cf. 5112.2 - Exclusions from Attendance)
(cf. 5141.26 - Tuberculosis Testing)
(cf. 5141.3 - Health Examinations)
(cf. 6158 - Independent Study)
(cf. 6159 - Individualized Education Program)
(cf. 6183 - Home/Hospital Instruction)

Parents/guardians are encouraged to inform the Superintendent or designee if their child has an infectious disease so that school staff may work cooperatively with the student's parents/guardians to minimize the child's exposure to other diseases in the school setting. The Superintendent or designee shall ensure that student confidentiality rights are strictly observed in accordance with law. No district employee shall release medical information, including knowledge of a bloodborne pathogen infection, without written consent from the parent/guardian or adult student. Such information shall be shared only with those persons specifically named in the written permission.

(cf. 5125 - Student Records)
(cf. 5022 - Student and Family Privacy Rights)

The Board requires students and staff to routinely observe universal precautions to prevent exposure to bloodborne pathogens and to prevent the spread of all infectious disease.

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)
(cf. 4119.43/4219.43/4319.43 - Universal Precautions)
(cf. 5141.23 - Infectious Disease Prevention)

The Superintendent or designee shall ensure that the district's health education program provides information about the nature of bloodborne pathogens and their transmission.

(cf. 5141.6 - Student Health and Social Services)
(cf. 6142.2 - Sexual Health and HIV/AIDS Prevention Instruction)
(cf. 6142.8 - Comprehensive Health Education)

Blood Borne Pathogens - Safety Practices

Procedures and Regulations

1. General

1.1 While recognizing that both students and employees diagnosed with an infectious blood borne disease are entitled to a confidential relationship between themselves, the medical community and/or other agencies, the Board of School Trustees encourages these individuals to meet with the School Principal and/or Superintendent of Schools to discuss their disease and immediate and future needs.

1.2 Assessment

2. Students:

2.1. The Superintendent (or designate) will be informed, by the school principal as soon as is known, of any student infected with an infectious blood borne disease.

2.2. A Risk Assessment will be conducted using a team approach including the personal physician, public health personnel, the parent or guardian, and school district personnel as appropriate and will make recommendations about the type of educational and care setting based on the following:

- a. Behavior, neurological development and physical condition of the child;
- b. Type of interaction expected with others.
- c. What the potential is for exposure
- d. Areas for potential for exposure
- e. How exposure may happen
- f. Who needs to know?
- g. What will happen if there is a risk of exposure?

2.3. The team will consider the risk to others in the workplace, whether or not the individual is healthy enough to continue to attend school, and what precautions should be taken to ensure the safety and health of others.

- a. The identity of infected students will remain confidential and restricted to those who need to know or are required to be informed.

2.4. Decisions on attendance at school are dependent on the circumstances of each individual case. Regular evaluation of the appropriateness of attendance will be conducted.

2.5. The Board will be notified immediately when the team considers the health condition of a student to be a danger to the immediate health and welfare of a school, its students or employees of the Board.

- a. Upon being notified of the team's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

3. Employees

3.1. The Superintendent will be informed, by district staff as soon as is known, of any employee infected with an infectious blood borne disease.

3.2. Employees with an infectious blood borne disease, who are able to carry out the essential duties of their jobs in a satisfactory manner without posing a health or safety risk to themselves or others, will be entitled to continue their work.

3.3. Decisions regarding potential health or safety hazards will be made on a case-by-case basis in consultation with the employee, the personal physician and district personnel as appropriate.

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- 3.5. The Board will be notified immediately if the Superintendent considers the health condition of an employee to be a danger to the immediate health and welfare of a school, its students or other employees of the Board.
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Comprehensive School Safety Plan

**2024-2025
School Year**

School: Cope Middle School
CDS Code: 36-67843-6059422
District: Redlands Unified School District
Address: 1000 West Cypress Avenue
Redlands, CA 92373
Date of Adoption: October 15, 2024
Date of Update:
Date of Review:
- with Staff October 14, 2024
- with Law Enforcement
- with Fire Authority

Approved by:



Name	Title	Signature	Date
Suzanne Donovan-Marlowe	School Site Council Chairperson		
Kate Van Luven	Principal		

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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 1000 W. Cypress Ave., Redlands, CA 92373.

Safety Plan Vision

Cope Middle School will provide a safe, orderly, and secure environment conducive to learning. Cope Middle School will create a school in which pupils will attend regularly and be safe from both physical and social-psychological harm. Cope Middle School will work collaboratively with the district office and school board to identify, establish and use strategies and programs to comply with school safety laws. Cope Middle School will develop a plan to work cooperatively and collaboratively with families, students, teachers, administrators, counselors and community agencies, including law enforcement, to provide a safe and orderly school and neighborhood. Cope Middle School will develop an academic program that will focus on high expectations of pupil performance and behavior in all aspects of the school experience. Cope Middle School will work collaboratively with other elementary, and high schools to assist in a smooth transition from one school level to another. Cope Middle School will solicit the participation, views, and advice of teachers, families, school administrators, and community members and use this information to promote the safety of our pupils, staff, and community.

Components of the Comprehensive School Safety Plan (EC 32281)

Cope Middle School Safety Committee

Assessment of School Safety

Whenever crimes or misconduct by students are suspected, we encourage victims and witnesses to notify school officials and other proper authorities by either speaking with a teacher, counselor, administrator, or other school employee or making an anonymous report via Springeo (1-909-703-8736).

Additionally, if the crime or misconduct is a violation of the law, witnesses, victims, and their parents/guardians are encouraged to notify Redlands Police Department or the San Bernardino County Sheriff's Department.

Strategies and Programs to Provide and Maintain a High Level of Safety (EC 32281(a)1, items A-J)

Introduction - School Profile

Cope Middle School is one of twenty-four schools in the Redlands Unified School District with traditions dating back to 1957. Cope Middle School has a diverse pupil student body and is served by a dedicated staff. Both staff and parents comment on the positive changes that are ongoing in our school.

Cope Middle School faces challenges in maintaining a safe school. This section of the Comprehensive School Safety Plan will describe programs in place at our school as well as strategies and programs of our school site council for continued improvement in providing a safe, orderly, school environment conducive to learning.

School Crime Status and Reporting

Whenever crimes or misconduct by students are suspected, we encourage victims and witnesses to notify school officials and other proper authorities by either speaking with a teacher, counselor, administrator, or other school employee or making an anonymous report via Springeo (1-909-703-8736).

Additionally, if the crime or misconduct is a violation of the law, witnesses, victims, and their parents/guardians are encouraged to notify Redlands Police Department or the San Bernardino County Sheriff's Department.

Personal Characteristics of Pupil & Staff

(Additional Health and Welfare Data available from ICOE aggregated DAT surveys)

Cope Middle School has an enrollment of 1192 pupils in grades 6-8. Pupils from this school come from families with moderate family mobility. Approximately 60% of the pupils are identified as Socio-Economically Disadvantaged. The ethnic makeup of the pupil population is 52.2 % Hispanic, 7.6 % Black, 19.2 % Caucasian and 9.6% Asian. Our pupils have a variety of life experiences. Some pupils have recently arrived from foreign countries while others have never left their neighborhood.

Curriculum and Educational Activities

The course of study includes the basic core curriculum, physical education and enrichment classes such as Choir, Art, Band/Orchestra, Yearbook, Drama, Cross Age Tutoring, C-STEM, AVID, Digital Storytelling, Careers, etc..

Pupils have the opportunity to participate in morning and after-school activities. These include Various clubs, intramural sports, ASB, ASES, Extended Learning Opportunities (ELOP), Redlands Schools Connection League (RSCL - after school sports program), etc..

Staff provides opportunities and additional activities open to pupils in the areas of Extra credit, field trips, tutoring, Extended Learning Opportunities, PBIS/MTSS support through the SOAR program, etc..

(A) Child Abuse Reporting Procedures (EC 35294.2 [a] [2]; PC 11166)

Policy 5141.4: Child Abuse Prevention and Reporting

The Governing Board recognizes that the district has a responsibility to facilitate the prompt reporting of incidents of child abuse and neglect. The Superintendent or designee shall ensure that parents/guardians have access to procedures whereby they can report suspected child abuse at a school site to appropriate child protective agencies

The Superintendent or designee shall develop and implement regulations for use by employees in identifying and reporting child abuse

District employees shall report known or suspected incidents of child abuse in accordance with district regulations and state law. Employees shall cooperate with the child protective agencies responsible for reporting, investigating and prosecuting cases of child abuse.

(cf. 4112.9 - Signed Statements/Child Abuse Reporting Statements)

The Superintendent or designee shall provide training in child abuse identification and reporting for all certificated and classified personnel. (Penal Code 11165.7)

All employees trained in child abuse identification and reporting shall be given, as a part of that training, written notice of the child abuse reporting requirements and the employees' confidentiality rights. (Penal Code 11165.7)

In order to reduce or eliminate unfounded child abuse accusations directed at school employees, child abuse in service training shall include guidance in disciplining students and maintaining ethical relationships with them.

(cf. 3514 - Safety)

(cf. 5142 - Safety)

Duty to Report

Certificated employees and classified employees trained in child abuse identification and reporting shall report known or suspected child abuse to a child protective agency by telephone immediately or as soon as practically possible and in writing within 36 hours. The reporting duties are individual and cannot be delegated to another individual except under circumstances set forth in Penal Code 11166.

Definitions

Child Abuse includes the following:

1. A physical injury inflicted by other than accidental means on a child by another person.
2. Willful cruelty or unjustifiable punishment of a child, or willfully inflicting unjustifiable physical pain or mental suffering, or failure to safeguard a child from these injuries when the child is under a person's care or custody
3. Sexual abuse of a child
4. Neglect of a child or abuse in out-of-home care
5. Unlawful corporal punishment or injury resulting in a traumatic condition

Mandated Reporters are those people defined by law as child care custodians, health practitioners, child visitation monitors and employees of a child protective agency. Mandated reporters include virtually all school employees. The following school personnel are required to report:

Teachers, administrators, supervisors of child welfare and attendance, certificated student personnel employees, employees of care institutions, Headstart teachers, school psychologists, licensed nurses, counselors, presenters of child abuse prevention programs and those instructional aides or other classified employees trained in child abuse reporting.

Child Protective Agencies are those law enforcement and child protective services responsible for investigating child abuse reports, including the local police or sheriff department, county welfare or juvenile probation department and child protective services.

Reasonable Suspicion means that it is objectively reasonable for a person to entertain such a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his/her training and experience, to suspect child abuse. (Penal Code 11166)

Reporting Procedures

To report known or suspects child abuse, any employee (as defined above) shall report by telephone to the local child protective agency immediately. (Child Protective Services 921 County Center, 3 Court, Modesto, CA phone # 525- 6641)

The following information shall be given:

1. The name of the person making the report
2. The name of the child
3. The present location of the child
4. The nature and extent of any injury

Any other information requested by the child protective agency, including the information that led the mandated reporter to suspect child abuse.

When the verbal 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.

Within 36 hours of making the telephone report, the mandated reporter shall complete and mail to the local child protective agency a written report which includes a completed Department of Justice form (DOJ SS 8572).

Mandated reports may obtain copies of the above form either from the district or local child protective agency.

Instructions are included on the form, and reporters may ask the site administrator for help in completing and mailing it; however, the mandated reporter is personally responsible for ensuring that the written report is correctly filed.

Employees reporting child abuse to a child protective agency are encouraged, but not required, to notify the site administrator or designee as soon as possible after the initial verbal report by telephone. When so notified, the site administrator shall inform the Superintendent or designee.

Administrators so notified shall provide the mandated reporter any assistance necessary to ensure that reporting procedures are carried out in accordance with law and district regulations. At the mandated reporter's request, the principal may assist in completing and filing the form.

If the mandated reporter does not disclose his/her identity to a district administrator, he/she shall at least provide or mail a copy of the written report to the site administrator and the district without his/her signature or name.

Legal Responsibility and Liability

Mandated reporters have absolute immunity. School employees required to report are not civilly or criminally liable for filing a required or authorized report of known or suspected child abuse.

A mandated reporter who fails to report an instance of child abuse, which he/she knows to exist or reasonably should know to exist, is guilty of a misdemeanor and is punishable by confinement in jail for a term not to exceed six months or by a fine of not more than \$1,000 or both. The mandated reporter may also be held civilly liable for damages for any injury to the child after a failure to report

When two or more persons who are required to report have joint knowledge of suspected instance of child abuse, and when they so agree, the telephone report may be made by either of them and a single report made and signed by that person.

However, if any person who knows or should know that the person designated failed to make the report, that person then has a duty to make the report.

The duty to report child abuse is an individual duty and no supervisor or administrator may impede or inhibit such reporting duties. Furthermore, no person making such a report shall be subject to any sanction.

Victim Interview

Upon request, a child protective agency representative may upon request interview a suspected victim of child abuse during school hours, on school premises, concerning a report of suspected child abuse that occurred within the child's home. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. (Penal Code 11174.3)

A staff member or volunteer aide selected by a child may decline to be present at the interview. If the selected person accepts, the principal or designee shall inform him/her, before the interview takes place, of the following legal requirements:

1. The purpose of the selected person's presence at the interview is to lend support to the child and enable him/her to be as comfortable as possible.
2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the child.
4. The selected person is subject to the confidentiality requirements of the Child Abuse and Reporting Act, a violation of which is punishable as specified by Penal Code 11167.5.
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 or Child Protective Services Agent

When a child is released to a peace officer or child protective agency and taken into custody as a victim of suspected child abuse, the Superintendent and/or principal shall not notify the parent/guardian as required in other instances of removal of a child from school, but rather shall provide the protective agency with the address and telephone number of the child's parent/guardian. It is the responsibility of the peace officer or agent to notify the parent/guardian of the situation. (Education Code 48906)

Peace officer and child protective services agents will be asked to sign an appropriate release or acceptance of responsibility form.

(cf. 5145.11 - Questioning and Apprehension)

When School Employees are Accused of Child Abuse

Regardless of who child abusers may be, the major responsibilities of mandated reports are to 1) identify incidents of suspected child abuse, and 2) comply with laws requiring the reporting of suspected abuse to proper authorities. Determining whether or not the suspected abuse actually occurred is not the responsibility of the school employee. Such determination and follow-up investigation will be made by a child protective agency.

Pending outcome of an investigation by a child protective agency and before formal charges are filed, the employee may be subject to reassignment or a paid leave of absence.

Upon filing formal charges or upon conviction, the district may take disciplinary action in accordance with law, district policies, regulations and/or collective bargaining agreements. The Superintendent or designee shall seek legal counsel in connection with either the suspension or dismissal of the employee.

(cf. 4117.4 - Dismissal)
(cf. 4118 - Suspension/Disciplinary Action (Certificated))
(cf. 4218 - Suspension/Disciplinary Action (Classified))

Suspected Child Abuse Reporting Procedures

I. Initiating the Report

A. The report is initiated by a telephone report to the appropriate agency.

B. If the suspected child abuse has taken place within the family, call the Enter appropriate Agency Hotline at phone number, 1 (800) 827-8724

C. If the suspected child abuse has taken place outside the family, call the local police department at:

Highland Sheriff Police Department
Phone: (909) 425-9793

D. Content of call.

- 1) Name, address and age of child involved.
- 2) Clear description of suspected abuse.

II. Written Report

A. The telephone call is to be followed by completion of the Suspected Child Abuse Report (form 11166.P.C.). These forms are available in the Principal's office at the high school or you may access the form on line at:
http://ag.ca.gov/childabuse/pdf/ss_8572.pdf for a form or immediately call (909) 384-9233 to file a report.

B. The written report is to be addressed to the person to whom the telephone report was made.

C. The written report must follow the phone call within 36 hours.

1. Suspected child abuse within the family,
Agency: Children and Family Services
Address: 150 S. Lena Road, San Bernardino, California 92415

2. Suspected child abuse outside the family should be mailed to the agency to which the report was called -

Adopted: 10/2005
Highland Sheriff Police Department
Phone: (909)425-9793

The reporting party should keep the yellow copy of the Suspected Child Abuse Report form (SS8572) or verification of completion of the reporting obligation.

Caution:

1. The reporting responsibility has not been discharged until both the telephone call and written reports are complete.
2. School personnel are not to engage in any investigation of suspected cases. The investigation will be done by the child protective services office.
3. The reporting responsibility is an individual one which is NOT discharged by report to supervisors or administrators.

(B) Disaster Procedures (EC 35295-35297; GC 8607 and 3100)

Disaster Plan (See Appendix C-F)

Each classroom, office, library and room on campus has a posting of the emergency procedures near the exit door. Emergency procedures are also posted in each classroom notebook which is reviewed at the beginning of the school year for updates. Fire Drills are practiced each month of the school year. Earthquake drills are practiced four times a year and Lock Down drills are practiced yearly.

Public Agency Use of School Buildings for Emergency Shelters

(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines

Policy 5144.1: Suspension And Expulsion/Due Process

Suspension and Expulsion

The Governing Board recognizes that maintaining an environment which promotes learning and protects the health, safety, and welfare of all students may require the suspension or expulsion of a student from regular classroom instruction. District policies and school site rules shall clearly identify district behavior standards

(cf. 5144 - Discipline)

Except in cases where suspension for a first time offense is warranted in accordance with law, suspension shall be imposed only when other means of correction fail to bring about proper conduct. (Education Code 48900.5)

Expulsion is an action taken by the Board for severe or prolonged breaches of discipline by a student. Except for single acts of a grave nature, expulsion is usually used only when there is a history of misconduct, when other forms of discipline, including suspension, have failed to bring about proper conduct, or when the student's presence causes a continuing danger to other students. (Education Code 48915)

The grounds for suspension and expulsion and the procedures for considering, recommending and/or implementing suspension and expulsion shall be specified in Administrative Regulation.

Each principal shall annually inform all students and parents/guardians of the school's discipline rules and procedures and of the availability of all district policies and regulations dealing with student discipline, suspension and expulsion. (Education Code 35291, 35291.5)

(cf. 5145.6 - Parental Notifications)

Suspended or expelled students shall be excluded from all school-related extracurricular activities during the suspension or expulsion.

cf. 6145 - Extracurricular and Cocurricular Activities)

Zero Tolerance

The Board supports a zero tolerance approach to serious offenses in accordance with state and federal law. This approach makes the removal of potentially dangerous students from the classroom a top priority and ensures the standardized treatment of all students. Staff shall immediately report to the Superintendent/ designee any incidence of offenses specified in law, Board policy, and administrative regulation as cause for suspension or expulsion.

Student Due Process

The Board shall provide for the fair treatment of students facing suspension and expulsion by affording them their due process rights under the law. The administration and staff shall comply with procedures for notices and appeals as specified in regulation. Procedures governing student due process shall conform in all aspects to provisions in law. (Education Codes 48911, 48915 and 48915.5)

Whenever a student is suspended, school officials may (but are not required to) meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

cf. 5119 - Students Expelled from Other Districts

(cf. 5144.2 - Suspension and Expulsion/Due Process - Individuals with Exceptional Needs)

Rights of Complaining Witness

An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental or emotional needs of a student who is the complaining witness. (Education Code 48918.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Educational Code 48918.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies
3. Have a closed hearing during the time he/she testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48918.5)

On-Campus Suspension Program

The Board recognizes that students who are suspended from school frequently have no supervision or guidance during the school hours when they are off campus. The Board believes that in many cases, instead of sending the student off campus, it would be better to address the student's misconduct by keeping the student at school and providing him/her with supervision that is separated from the regular classroom.

The Superintendent or designee shall examine alternatives to off-campus suspension and may establish a suspension program which involves progressive discipline during the school day on campus; using conferences between staff, parents/guardians and students; detention; student study teams or other assessment-related teams; and/or referral to school support services staff.

Required Parental Attendance

The Board believes that parental involvement plays an important role in the resolution of classroom behavior problems. The Board expects that teachers will communicate with parents/guardians when behavior problems arise

Whenever a student is suspended from a class because he/she committed an obscene act, engaged in habitual profanity or vulgarity, disrupted school activities or otherwise willfully defied valid staff authority, the teacher of the class from which the student was suspended may require the student's parent/guardian to attend a portion of a school day in that class. After completing the classroom visit and before leaving school premises, the parent/guardian also shall meet with the principal or designee. (Education Code 48900.1)

The Board encourages teachers, before requiring parental attendance, to make reasonable efforts to have the parent/guardian visit the class voluntarily. The teacher also may consider informing the parent/guardian about available resources which may provide help in the development of parenting skills. Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the student and the parent/guardian and to improve classroom behavior.

Parental attendance may be required on the day the student returns to class or within one week thereafter. The principal or designee shall contact any parents/guardians who do not respond to the request to attend school. The Board recognizes that parental compliance with this policy may be delayed, modified or prevented by serious illness/injury/disability, absence from town, or inability to get certain release time from work.

The teacher shall apply this policy uniformly to all students within the classroom. This policy shall apply only to a parent/guardian who actually lives with the student. (Education Code 48900.1)

District regulations and school-site rules for student discipline shall include procedures for implementing parental attendance requirements.

Parents/guardians shall be notified of this policy before it is implemented and at the beginning of each subsequent school year. (Education Code 48900.1, 35291, 48980)

Decision Not to Enforce Expulsion Order

In cases where expulsion is mandatory pursuant to Education Code 48915(c), the enforcement of an expulsion order shall not be suspended by the Board. In all other cases of expulsion, the order for expulsion may be suspended by the Board, on a case-by-case basis, pursuant to the requirements of law.

Definitions

Suspension from school means removal of a student from on going 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, nor referral to a certificated employee designated by the principal to advise students, nor removal from the class without reassignment to another class or program for the remainder of the period, without sending the student to the principal or designee.

2. Removal from a particular class shall not occur more than once every five school days. (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)

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

School property, for the purposes described in Education Code 48900, includes, but is not limited to, electronic files and databases. (Education Code 48900(s))

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, suspension and expulsion. Transfer students and their parents/guardians shall be notified at the time of enrollment. (Education Code 35291.5, 48900.1, 48980)

(cf. 5144 -Discipline)

(cf. 5145.6 Parental Notifications)

Notification shall include information about the ongoing availability of individual school rules and all district policies and regulations pertaining to student discipline. (Education Code 35291)

(cf. 5145.6 -Parental Notifications)

Grounds for Suspension and Expulsion

Students may be suspended or recommended for expulsion when the Superintendent, principal, or principal's designee at the school in which the student is enrolled determines that the student has done any of the acts listed below:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense. (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However, a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code Board Policy Manual Redlands Unified School District 48900(s))

2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48900(b))

(cf. 5 131 - Conduct)

(cf. 5131. 7 - Weapons and Dangerous Instruments)

3. Unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of, any controlled substance as defined in the Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind. (Education Code 48900(c))

(cf. 5131.6 -Alcohol and Other Drugs)

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance or material and represented same as controlled substance, alcohol beverage or intoxicant. (Education Code 48900(d))

5. Committed or attempted to commit robbery or extortion. (Education Code 48900(e))

6. Caused or attempted to cause damage to school property or private property. (Education Code 48900(f))

7. Stole or attempted to steal school property or private property. (Education Code 48900(g))

8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products with prior approval of the principal or designee. (Education Code 48900(h))

9. Committed an obscene act or engaged in habitual profanity or vulgarity. (Education Code 48900(i))

10. Unlawfully possessed, or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code. (Education Code 48900(j))

11. Disrupted school activities or otherwise willfully defied 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))

12. Knowingly received stolen school property or private property. (Education Code 48900(1))
13. Possessed an imitation firearm, i.e., 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))
14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code 243.4. (Education Code 48900(n))
15. 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))
16. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug soma. (Education Code 48900(p))
17. Engaged in, or attempted to engage in, hazing as defined in Education Code 32050. (Education Code 48900(q))
18. Made terrorist threats against school officials and/or school property. (Education Code 48900.7)

A student in grades 4 through 12 is also subject to suspension or recommendation for expulsion when it is determined that he/she:

19. Committed sexual harassment as defined in Education Code 212.5. (Education Code 48900.2)
20. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 33032.5. (Education Code 48900.3)
21. 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 Glasswork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment (Education Code 48900.4)

(cf. 5145.3 -Nondiscrimination/Harassment)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent/principal or within any other school district, including but not limited to the following circumstances:

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.

The Superintendent/principal may use his/her discretion to provide alternatives to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program. (Education Code 48900(r))

cf. 5138 -Conflict Resolution/Peer Mediation)

Alternatives to suspension or expulsion will be used against students who are truant, tardy, or otherwise absent from assigned school activities.

(cf. 5113 -Absences and Excuses)

(cf. 5113.1 - Truancy)

Suspension from Class by a Teacher/Parental Attendance

A teacher may suspend any student from the teacher's class for any of the acts listed under "Grounds for Suspension and Expulsion" above for the day of the suspension and the day following. (Education Code 48910)

Suspension from class means the removal of a student from class by a teacher for the day of the suspension and the next day. A teacher may suspend a student from class and may also refer a student for consideration of suspension from school for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

When suspending a student from his/her class, the teacher shall immediately report this action to the principal and send the student to the principal for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been suspended.

As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the suspension. A counselor or psychologist should attend the conference if it is practicable, and a school administrator may attend if either the parent/guardian or teacher so request.

A suspended student shall not be returned to class during the period of suspension without the approval of the teacher of the class and the principal. (Education Code 48910)

A student suspended from class shall not be placed in another regular class during the period of suspension. However, if a student is assigned to more than one class per day, he/she may be placed in any 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 suspended student to complete any assignments and tests missed during the suspension. (Education Code 48913)

When a teacher requires a parent/guardian to attend school in accordance with Board Policy, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is required pursuant to law. (Education Code 48900.1)

1. This notice shall also tell the parent/guardian when his/her presence is expected and by what means he/she may arrange any necessary change.
2. The notice shall describe the protections afforded to the parent/guardian as an employee by Labor Code 230.7.
3. The notice shall state that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student.

The teacher shall remind the parent/guardian to meet with the principal or designee after completing the classroom visit and before leaving school premises.

Suspension By Superintendent, Principal Or Principal's Designee

A Superintendent, principal, or principal's designee may suspend a student from a school for any of the acts listed under "Grounds for Suspension and Expulsion" above for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

The Superintendent or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife, as defined in Education Code 48915(g), at another person.

3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.

4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item 414 under "Grounds for Suspension and Expulsion" above.

5. Possession of an explosive as defined in 18 USC 921.

Suspension may be imposed upon a first offense if the Superintendent, principal or designee determines the student violated items (i) - (v) listed in "Grounds For Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903 and 48912)

Suspension Procedures

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the principal or designee or the Superintendent or designee between 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 and the evidence against him/her and shall be given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911(b))

This conference may be omitted if the principal, designee or the Superintendent or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or school personnel. If the pre-suspension conference is not held, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference will be held as soon as the student is physically able to return to school. (Education Code 48911(c))

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior

A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee, who in turn will inform the Board.

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 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 also state the date and time when the student may return to school.

Should school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may also add that state law requires the parent/guardian to respond to such request without delay.

4. Parent/Guardian Conference: Whenever a student is suspended, school officials may meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such conference. The student may not be denied readmission solely because the parent/guardian failed to attend. (Education Code 48911)

5. Extension of Suspension: If the expulsion of a suspended student is being considered by the Board, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision. (Education Code 48911(g))

Any extension of the original period of suspension shall be 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. Extension of the suspension may be made only if 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(g))

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal or Principal's 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 if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. 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 may hold closed sessions if a public hearing would lead to disclosure of information which would violate a student's right to privacy under Education Code 49073-49079.

(cf. 9321 -Closed Session Purposes and Agendas)

The Board shall provide the student with written notice of the closed session by registered or certified mail. Upon receiving this notice the student 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 shall be in closed session. (Education Codes 48912)

Authority to Expel

A student may be expelled only by the Board. The Board shall expel, as required by law, any student found to have committed certain offenses listed below under "Mandatory Recommendation and Mandatory Expulsion."

The Board may also order a student expelled for any of the acts listed above under "Grounds for Suspension and Expulsion" upon recommendation by the principal, Superintendent, hearing officer or administrative panel, based on finding either or both of the following: (Education Code 48915(b) and (e))

1. That other means of correction are not feasible
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

Mandatory Recommendation For Expulsion

The principal, Superintendent or designee shall recommend a student's expulsion for any of the following acts, unless the principal or Superintendent or designee finds, and reports in writing to the Board, that expulsion is inappropriate due to particular circumstances which shall be set out in the report of the incident:

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife as defined in Education Code 48915(g), explosive 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 the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee.

Mandatory Recommendation And Mandatory Expulsion

The principal, Superintendent or designee shall recommend that the Board expel any student found at school or at a school activity off school grounds to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48915(c).1)
2. Brandishing a knife as defined in Education Code 48915(g) at another person. (Education Code 48915(c).2)
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058. (Education Code 48915(c).3)
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above. (Education Code 48915(c).4)
5. Possessing an explosive as defined in 18 USC 921.

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

Student's Right to Expulsion Hearing

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred. (Education Code 48918(a))

The student is entitled to 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 district's discretion. (Education Code 48918(a))

If the district finds it impracticable 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))

Once the hearing starts, all matters shall be pursued with reasonable diligence and concluded without unnecessary delay. (Education Code 48918(a))

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 48915.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Education Code 48915.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing.

2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies.
3. Have a closed hearing during the time he/she testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48915.5)

Written Notice of the Expulsion Hearing

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least ten 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. A parent/guardian of a student expelled for acts described in paragraphs through 4 of Education Code 48915(a), seeks enrollment in another district they must inform the new district of the students status with the expelling district, pursuant to Education Code 48915.1.

(cf. 5119 -Students Expelled from Other Districts)

5. The opportunity for the student or the student's parent/guardian to appear in person or to employ and be represented by counsel.
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.

Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and Education Code 35145, the Board shall conduct the hearing or arrange for an alternative 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 request is made, the meeting shall be public

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to deliberate and determine if the student should be expelled. If the Board admits any other person to the closed session, the parent/guardian, the student, counsel of the student and counsel of the parent/guardian shall also be allowed to attend the closed session. (Education Code 48918(c))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to have his/her testimony heard in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including but not limited to videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

2. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, so long as a reasonably accurate written and complete transcription of the proceedings can be made. (Education Code 48918(g))

3. Presentation of Evidence: While technical rules of evidence do not apply to such hearings, 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 must be supported by substantial evidence that the student committed any of the above acts listed under "Grounds for Suspension and Expulsion" above. Findings of fact shall be based solely on the evidence at the hearing.

While no evidence 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) and

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 Witness: The following procedures shall be observed when hearings involve allegations of sexual assault or sexual battery by a student: (Education Code 48918)

- a. Any complaining witness shall be given five days' notice before being called to testify.
- b. Any complaining witness shall be entitled to have up to two adult support persons, including but not limited to a parent/guardian or legal counsel, present during his/her testimony.
- c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- e. If one or both support persons are also witnesses, the hearing shall be conducted according to Penal Code 868.5.
- f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard.

Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.

g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.

(1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.

(2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.

(3) The person conducting the hearing may:

- (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness.
- (b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
- (c) Permit one of the support persons to accompany the complaining witness to the witness stand.

6. Decision Within Ten Days: The Board's decision on whether to expel a student shall be made within ten school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

7. Decision Within 40 Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative 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. Alternatively, the Board may 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(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified in "Conduct of Expulsion Hearing" above.

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 student shall be immediately reinstated. (See "Reinstatement" below.) The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers and with the student's parent/guardian. (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))

The hearing officer or administrative panel may recommend that the Board suspend the expulsion for a period of one year. (See "Suspension of Expulsion" below.)

The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Stipulated Expulsions

It is the policy of the Redlands Unified School District that, where approved by the Superintendent or designee, parents/guardians may agree to the expulsion of their pupil by stipulation without necessity of a hearing. This process will expedite the pupil's school placement and may expedite the rehabilitation process.

A stipulated expulsion must be purely voluntary. No district administrator or staff member may coerce a pupil, parent or guardian into entering into such a stipulation. Parents/guardians will be given three calendar days to decide on a stipulated expulsion agreement.

If the parent/guardian requests a stipulated expulsion, the Superintendent or designee will promulgate the stipulated agreement. If at any time the parent/guardian decides not to pursue a stipulated agreement, the expulsion proceedings and timelines, extended by the length of the period for consideration of the stipulation, will be reinstated. The stipulated agreement will be presented to the Board for final consideration.

The stipulated agreement will include the terms and conditions of the expulsion order, including alternative placement and a rehabilitation plan to be completed before the student can be re-admitted to the district.

Final Action by the Board

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel, the final action to expel must be taken by the Board at a public meeting. (Education Code 48918(f)) The Board shall maintain a record of each expulsion, including its cause. Expulsion records shall be non-privileged, disclosable public records.

(cf. 9321.1 - Closed Session Actions and Reports)

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

Upon ordering the 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 an act listed under "Mandatory Recommendation and Mandatory Expulsion" above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. (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 of the student at the time of review for readmission.
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service and other rehabilitative programs.
3. Such other recommendations as the Board approves.

With parental 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)

Upon expulsion, a copy of readmission procedures will be made available to the student and his/her parent/guardian.

Written Notice to Expel

The Superintendent or designee shall send written notice of the decision to expel to the student or parent/guardian. The notice shall include the following:

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed in Education Code 48900(a)-(o), Education Code 48900.2-48900.4 and Education Code 48915(c). (Education Code 48900.8)
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian. (Education Code 48916)
3. Notice of the right to appeal such expulsion to the County Board of Education. (Education Code 48918)
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion. (Education Code 48918)
5. The notice also shall inform the student or parent/guardian of his/her 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)

Suspension of Expulsion

The Board, upon voting to expel a student, may suspend the enforcement of the expulsion order for not more than one calendar year. When deciding whether to suspend an expulsion, the Board shall take into account the following criteria:

1. The student's previous behavior.
2. The seriousness of the misconduct.
3. The student's attitude toward the misconduct and his/her willingness to follow a rehabilitation program.

The suspension of the enforcement of an expulsion shall be governed by the following: (Education Code 48917)

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.
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status.
3. The suspension of expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion" above or violates any of the district's rules and regulations governing student conduct.
4. When suspension of expulsion order is revoked, a student may be expelled under the terms of the original expulsion order
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expungement of any or all records of the expulsion proceedings.
6. Suspension 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 of Education.
7. 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 also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education. (Education Code 48918(i))

Right to Appeal

The student or parent/guardian is entitled to file an appeal of the Board's decision to the County Board of Education.

The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion action is suspended and the student is placed on probation. (Education Code 48919)

Post-Expulsion Placements

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 such a site.
3. Not housed at the school site attended by the student at the time of suspension.

(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for acts described in items #6 through # 13 and # 17 through # 19 under "Grounds for Suspension and Expulsion" above may be instead referred to a program of study that is provided at another comprehensive middle, junior, or senior high school, or at an elementary school.

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)

Reinstatement

When the Board accepts a recommendation against expulsion or makes its own decision after the hearing not to expel, the decision is final and the student shall be reinstated immediately. The Superintendent or designee shall place the student in any classroom program, other instructional program, rehabilitation program, or any combination of such programs following consultation with district personnel, including the teacher involved, and with the student's parent/guardian. (Education Code 48918(e))

Readmission

An expulsion order shall remain in effect until the Board may order the readmission of the student.

Readmission procedures shall be as follows:

1. A written request for review of expulsion action and request for readmission shall be submitted by the parent/guardian to the Superintendent or designee.
2. The Superintendent or designee will hold a conference with the parent/guardian and the student.
3. At the conference the conditions for readmission will be reviewed. The Superintendent or designee shall verify that the rehabilitation plan has been met.
4. School regulations will be reviewed and the student and parent/guardian will be asked to indicate in writing their willingness to comply with these regulations.
5. The Superintendent or designee will transmit the request for readmission to the Board, along with his/her recommendation. The Board shall consider the request in closed session if the information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it will be honored.
6. The Superintendent or designee will notify the student or parent/guardian, by registered mail, of the district's decision regarding readmission.
7. 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)
8. 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. (Education Code 48916)
9. 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)

Maintenance of Records

The Board will maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls, within five days of a written request by the admitting school. (Education Code 48900.8, 48918(k))

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district. (Education Code 48915.1)

cf. 5119 - Students Expelled from Other Districts)

(cf. 5125 - Student Records)

Notifications and Reports

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering or sale of controlled substances, alcohol, or intoxicants of any kind.

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 also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

Outcome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion.
2. The specific grounds for each recommended expulsion.
3. Whether the student was subsequently expelled.
4. Whether the expulsion order was suspended.
5. The type of referral made after the expulsion.
6. The disposition of the student after the end of the expulsion period.

Suspension and Expulsion/Due Process

Redlands Unified
Administrative Regulation
AR 51441
Adopted June 27, 1995
Students

Definitions

Suspension from school 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. Removal from a particular class shall not occur more than once every five school days.

Expulsion means removal of a student from the immediate supervision and control, or the general supervision, of school personnel. (Education Code 48925)

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian or legal counsel. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

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, suspension and expulsion. Transfer students and their parents/guardians shall be notified at the time of enrollment. (Education Code 35291.5, 48900.1, 48980)
(cf. 5144 - Discipline)

Notification shall include information about the ongoing availability of individual school rules and all district policies and regulations pertaining to student discipline. (Education Code 35291)
(cf. 5145.6 - Parental Notifications)

Grounds for Suspension and Expulsion

A student may be subject to suspension or expulsion when it is determined that he/she:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense. (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aide or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code 48900(s))

2. Possessed, sold, or otherwise furnished any firearm. Knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48900(b))
(cf. 5131 - Conduct)
(cf. 5131.7 - Weapons and Dangerous Instruments)

3. Unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of, any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind. (Education Code 48900(c))
(cf. 5131.6 - Alcohol and Other Drugs)

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid, substance or material and represented same as controlled substance, alcohol beverage or intoxicant. (Education Code 48900(d))

5. Committed or attempted to commit robbery or extortion. (Education Code 48900(e))

6. Caused or attempted to cause damage to school property or private property. (Education Code 48900(f))

7. Stole or attempted to steal school property or private property. (Education Code 48900(g))

8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products (Education Code 48900(h))

9. Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))

10. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5. (Education Code 48900(j))

11. Disrupted school activities or otherwise willfully defied 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))

12. Knowingly received stolen school property or private property. (Education Code 48900(l))

13. Possessed an imitation firearm, i.e., 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))

14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code 243.4. (Education Code 48900(n))

15. 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))

16. Made terrorist threats against school officials and/or school property. (Education Code 48900.7)

Pursuant to Education Code 48900.7, the making of a terrorist threat includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person or property damage in excess of \$1,000.00, 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.

A student in grades 4 through 12 is also subject to suspension or recommendation for expulsion when it is determined that he/she:

17. Committed sexual harassment as defined in Education Code 212.5. (Education Code 48900.2)

Pursuant to Education Code 48900.2 the conduct constitutes harassment when considered from the perspective of a reasonable person of the same gender as the victim to be 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.

(cf. 5145.7 - Sexual Harassment)

18. 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)

(cf. 5145.9 - Hate-Motivated Behavior)

Education Code 233 defines "hate violence" as any act punishable under Penal Code 422.6, 442.7 or 422.75. Such acts include injuring or intimidating another person, interfering with the exercise of a person's civil rights, or damaging a person's property because of the person's race, color, religion, ancestry, national origin, disability, gender or sexual orientation.

19. Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading student rights by creating an intimidating or hostile educational environment. (Education Code 48900.4)

(cf. 5145.3 - Nondiscrimination/Harassment)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent or principal or within any other school district, including but not limited to the following circumstances: (Education Code 48900)

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.

The Superintendent or principal may use his/her discretion to provide alternative to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program. (Education Code 48900(r))

Alternatives to suspension or expulsion will be used with students who are truant, tardy, or otherwise absent from assigned school activities.

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Truancy)

Removal from Class by a Teacher/Parental Attendance

A teacher may suspend any student from his/her class for the remainder of the day and the following day for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

A teacher also may refer a student to the principal or designee for consideration of suspension from school. (Education Code 48910)

When removing a student from his/her class, the teacher shall immediately report this action to the principal and send the student to the principal for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been removed.

As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the removal. A counselor or psychologist should attend the conference if it is practicable, and a school administrator may attend if either the parent/guardian or teacher so requests.

A student removed from class shall not be returned to class during the period of removal without the approval of the teacher of the class and the principal. (Education Code 48910)

A student removed from class shall not be placed in another regular class during the period of removal. However, if a student is assigned to more than one class per day, he/she may be placed in any other regular classes except those held at the same time as the class from which the student was removed. (Education Code 48910)

The teacher of any class from which a student is removed may require the student to complete any assignments and tests missed during the removal. (Education Code 48913)

Pursuant to Board policy, a teacher may provide that the parent/guardian of a student whom the teacher has removed attend a portion of a school day in his/her child's classroom. When a teacher makes this request, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is requested pursuant to law. (Education Code 48900.1)

This notice shall also:

1. Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternate date.
2. Describe the legal protections afforded to the parent/guardian as an employee under Labor Code 230.7.
3. State that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student.
4. Ask the parent/guardian to meet with the principal after the visit and before leaving school, as required by Education Code 48900.1.

Suspension by Superintendent, Principal or Principal's Designee

The Superintendent, principal or principal's designee may suspend a student from a school for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

The Superintendent or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife, as defined in Education Code 48915(g), at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion".
5. Possession of an explosive as defined in 18 USC 921.

Suspension also may be imposed upon a first offense if the Superintendent, principal or designee determines the student violated items #1-5 listed in "Grounds for Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903, 48912)

The Superintendent or designee may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which a student may be suspended in any school year. (Education Code 48903)

Suspensions shall be initiated according to the following procedures:

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the principal, designee or the Superintendent 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 and the evidence against him/her; the student shall be given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911(b))

This conference may be omitted if the principal, designee or the Superintendent determines that an emergency situation exists. An "emergency situation" involves 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 a conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference will be held as soon as the student is physically able to return to school. (Education Code 48911(c))

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee.

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 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 also state the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may add that state law requires the parent/guardian to respond to such requests without delay.

4. Parent/Guardian Conference: Whenever a student is suspended, school officials may meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such conference. The student may not be denied readmission solely because the parent/guardian failed to attend. (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. (Education Code 48911(g))

Any extension of the original period of suspension shall be 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. Extension of the suspension may be made only if 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)

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal or Principal's 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 if any of the acts listed in “Grounds for Suspension and Expulsion” occurred. 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 closed sessions if a public hearing would lead to disclosure of information violating a student’s right privacy under Education Code 49073-49079.

(cf. 9321 - Closed Session Purposes and Agendas)

The Board shall provide the student and his/her parent/guardian with written notice of the closed session by or certified mail. 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 Codes 35146, 48912)

On-Campus Suspension Program

Students for whom an expulsion action has not been initiated and who pose no imminent danger or threat to the school may be assigned to a separate, supervised suspension classroom for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

1. The supervised suspension classroom shall be staffed in accordance with law.
2. The student shall have access to appropriate counseling services.
3. The supervised suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.
4. Each student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom. The teacher 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 a supervised 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 shall be made in writing. (Education Code 48911.1)

Authority to Expel

A student may be expelled only by the Board. The Board shall expel, as required by law, any student found to have committed certain offenses listed below under “Mandatory Recommendation and Mandatory Expulsion.”

The Board also may order a student expelled for any of the acts listed under “Grounds for Suspension and Expulsion” upon recommendation by the principal, Superintendent, hearing officer or administrative panel, based on finding 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.

Mandatory Recommendation for Expulsion

Unless the principal, Superintendent or designee finds that expulsion is inappropriate due to particular circumstances, the principal, Superintendent or designee shall recommend a student’s expulsion for any of the following acts: (Education Code 48915 (a))

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife as defined in Education Code 48915(g), explosive or other dangerous object of no reasonable use to the student.
3. Unlawful possession of any controlled substance, as listed in the Health and Safety Code 11053-11058, except for the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee.

Mandatory Recommendation and Mandatory Expulsion

Note: The Attorney General has determined, in 80 Ops.Cal. Atty. Gen. 347 (1997), that a district may not adopt a zero tolerance policy mandating expulsion of a student for a first offense of possession of a controlled substance or alcohol.

The principal, Superintendent or designee shall recommend that the Board expel any student found at school or at a school activity to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife as defined in Education Code 48915(g) at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above.
5. Possessing an explosive as defined in 18 USC 921.

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

The initial recommendation for consideration of expulsion is that of the school principal or the Superintendent. Designees may not make this type of recommendation.

The recommendation for consideration of expulsion shall be submitted to the Director, Office of Student Services, who will review the material and recommend:

1. Reassignment to appropriate regular education program.
2. Refer student to Alternative Program; i.e., Community School, Independent Study, Continuation or Opportunity School, or other district programs.
3. Refer the matter to the Discipline Review Panel for further consideration.

When a case is referred to the discipline Review Panel, the panel shall question school personnel who have information on the incident and the behavior record of the student charged and weighs the evidence presented.

The panel shall, in the case of an expulsion consideration, weigh information presented to determine:

- a. Is the evidence sufficient to support consideration by the expulsion panel?
- b. Has the district, through the schools involved, considered or utilized alternatives to expulsion when possible?
- c. Have due process procedures been adhered to?

The recommendation shall be either to proceed with the expulsion or to utilize an existing practical alternative in lieu of expulsion.

If the district (school) has not adhered to due process requirements, the student shall be returned to school immediately.

If the Discipline Review Panel meets to consider a matter other than an expulsion, it shall provide its best judgment as to an effective alternative program or plan to action.

The recommendation of the Discipline Review Panel shall be forwarded to the Director, Office of Student Services, who shall then review the facts, concur, veto or modify the recommendation.

4. That an expulsion panel be convened.

At the time a recommendation for expulsion is submitted, a hearing shall be scheduled by the Superintendent or designee to determine whether the suspension shall be extended. If the decision is to extend the suspension, the period of time shall be until the Board has rendered a decision or until the expulsion process is otherwise terminated.

The extension of suspension shall be based upon determination by the Superintendent or designee that the presence of the student at the school or in an alternative school placement would cause a danger to persons or property or a threat of disrupting the instructional process. This extension shall be imposed only after the student and the parent/guardian have been given the opportunity to be present at a hearing conducted by the Superintendent or designee. At this time, the student and parent/guardian shall be given the opportunity to be heard and present any information that might bear upon the decision.

Materials which support the decision of the person recommending the expulsion shall be prepared and submitted to the Office of Student Services. The departments of Attendance, Guidance, Special Education and/or Health may be requested to assist in the preparation of this material.

Student's Right to Expulsion Hearing

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred. (Education Code 48918 (a))

The student is entitled to 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 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 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 no 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))

Waiver of Hearing (Default Proceedings)

If the parent/guardian agrees that their son/daughter behaved essentially in the manner stated in the principals letter recommending expulsion and that such behavior constitutes a violation of the California Education Code, Section 48900, 48900.2, 48900.3, 48900.4, 48900.7 and/or 48915 a suspendable/expellable offense, the parent/guardian may request to waive the Administrative Hearing Panel.

When the parent/guardian agrees to waive the Administrative Hearing Panel, they also waive all notification and timelines related to the expulsion hearing process, along with their rights to appeal the determination of the Board.

The signed affidavit and findings of fact will be submitted to the Board for their approval. The Board has the discretionary power to accept, reject, or modify all recommendations.

Rights of Complaining Witness

An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental or emotional needs of a student who is the complaining witness. (Education Code 48918.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to all the following: (Education Code 48918.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing.
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies.
3. Have a closed hearing during the time he/she testifies.

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48918.5)

Written Notice of the Expulsion Hearing (Education Code 48918(b))

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least 10 calendar days before the date of the hearing. The notice shall include: (Education Code 48900.8, 48918 (b))

1. The date and place of the hearing.
2. A statement of the specific facts, charges and offense upon which the proposed expulsion is based.
3. A copy of district disciplinary rules which relate to the alleged violation.
4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment. This obligation applies when a student is expelled for acts other than those described in Education Code 48915 (a) or (c).
(cf. 5119 - Students Expelled from other Districts)

5. The opportunity for the student or the student's parent/guardian to appear in person and/or be represented by legal counsel or by a non-attorney advisor.

Legal counsel means an attorney or lawyer who is admitted to the practice of law in California and is an active member of the State Bar of California.

Non-attorney advisor 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.

Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and 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 request is made, the meeting shall be public, unless another student's privacy rights would be violated.

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to determine if the student should be expelled. If the Board admits any other person to the closed session, the parent/guardian, the student, and the counsel of the student, shall also be allowed to attend the closed session. (Education Code 48918(c))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to have his/her testimony heard in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including but not limited to videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

2. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate written and complete transcription of the proceedings can be made. (Education Code 48918(g))

3. Subpoenas: Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with the Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20, formerly 11525. (Education Code 48918(i))

Any objection raised by the student or the Superintendent or designee to the issuance of subpoenas may be considered by the Board in closed session, or in open session if so requested by the student, before the meeting. The Board's decision in response to such an objection shall be final and binding. (Education Code 48918(i))

If the Board determines, or if the hearing officer or administrative panel finds and submits to the Board, that a witness would be subject to unreasonable risk of harm by testifying at the hearing, a subpoena shall not be issued to compel the personal attendance of that witness at the hearing. However, that witness may be compelled to testify by means of a sworn declaration as described in item #4 below. (Education Code 48918(i))

4. Presentation of Evidence: While technical rules of evidence do not apply to expulsion hearings, 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 must be supported by substantial evidence that the student committed any of the acts listed in "Grounds for Suspension and Expulsion" above.

Findings of fact shall be based solely on the evidence at the hearing. While no evidence 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) and (h))

In cases where a search of a student's person or property has occurred, evidence describing the reasonableness of the search shall be included in the hearing record.

5. Testimony by Complaining Witnesses: The following procedures shall be observed when hearings involve allegations of sexual assault or sexual battery by a student: (Education Code 48918)

- a. Any complaining witness shall be given five days' notice before being called to testify.
- b. Any complaining witness shall be entitled to have up to two adult support persons, including but not limited to a parent/guardian or legal counsel, present during his/her testimony.
- c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- e. If one or both support persons are also witnesses, the hearing shall be conducted according to Penal Code 868.5.
- f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.
- g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.
 - (1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.
 - (2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.
 - (3) The person conducting the hearing may:
 - (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness.
 - (b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
 - (c) Permit one of the support persons to accompany the complaining witness to the witness stand.

6. Decision Within 10 Days: The Board's decision on whether to expel a student shall be made within 10 school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

7. Decision Within 40 Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

Instead of conducting an expulsion hearing itself, the Board may contract with the county hearing officer or with the Office of Administrative Hearings of the State of California for a hearing officer. Alternatively, the Board may 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(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified in "Conduct of Expulsion Hearing."

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 student shall be immediately reinstated. (See "Reinstatement.") The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers, and with the student's parent/guardian. (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 for a period of one year. (See "Decision Not to Enforce Expulsion Order" below.)

The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

The Discipline Review Panel

The Discipline Review Panel will consist of elementary educators when a review is being made of an elementary student and of secondary educators when a review is being made of secondary student.

1. The Discipline Review Panel shall hear the following types of disciplinary cases:
 - a. Requests for expulsion from site principals or the Superintendent.
 - b. School site administrative requests for assistance (non-expulsion situations).
2. Each discipline review panel shall consist of three certificated persons plus a chairperson and shall consist of elementary educators when a review is being made of an elementary student and of secondary educators when a review is being made of a secondary student. A panelist may not serve on any panel involving a student who is currently attending the school in which he/she is assigned. A representative from Student Services shall be a nonvoting member of each panel.

A chairperson and assistant chairperson, to serve when the chairperson is unable to serve, shall be appointed by the Superintendent or designee and shall serve at his/her pleasure. Neither shall be a member of the Student Services staff.

A pool of panelists shall be established which shall be composed of personnel who have served or are currently serving as members of administrative expulsion panels. The committee chairman shall select members to serve on individual panels.

The meetings of the discipline review panel are open to school district personnel only.

The duties of the Discipline Review Panel are as follows:

1. The chairperson shall call a meeting of the panel as soon as possible, but no later than 10 school days after the receipt of notice of a pending case.
2. A recommendation must be forwarded to the Director, Office of Student Services, within three days of the review hearing.
3. In the event a member of the committee cannot be present at a meeting, the Director, Office of Student Services, will appoint an alternate from the pool to attend.

Final Action by the Board

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel, the final action to expel shall be taken by the Board at a public meeting. (Education Code 48918(j))

(cf. 9321.1 - Closed Session Actions and Reports)

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

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 an act listed under “Mandatory Recommendation and Mandatory Expulsion” above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. (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 of the student at the time of review for readmission.
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service and other rehabilitative programs.

With parental 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 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 in Education Code 48900 (a)-(o), Education Code 48900.2-48900.4, Education Code 48915 (c) and (Education Code 48900.8).
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian. (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Governing Board. (Education Code 48918)
4. Notice of the alternative educational placements 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 Not to Enforce Expulsion Order

In accordance with Board policy, when deciding whether to suspend the enforcement of an expulsion, the Board shall take into account the following criteria:

1. The student’s pattern of behavior.
2. The seriousness of the misconduct.
3. The student’s attitude toward the misconduct and his/her willingness to follow a rehabilitation program.

The suspension of the enforcement of an expulsion shall be governed by the following: (Education Code 48917)

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.
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status.
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” above or violates any of the district’s rules and regulations governing student conduct.
4. When the suspension of the enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order.
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings.
6. 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 County Board of Education.

7. 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 also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education. (Education Code 48918 (j))

Right to Appeal

The student or parent/guardian is entitled to file an appeal of the Board's decision to the County Board of Education. The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion action is suspended and the student is placed on probation. (Education Code 48919)

Post-Expulsion Placements

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 such a site.
3. Not housed at the school site attended by the student at the time of suspension.

(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for acts described in items #6 through #13 and #17 through #19 under "Grounds for Suspension and Expulsion" may be instead 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

Readmission procedures shall be as follows:

1. On the date set by the Board when it ordered the expulsion, the district shall consider readmission of the student. (Education Code 48916)
2. 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.
3. The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session if information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it shall be honored.
4. 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.
5. 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)
6. 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. (Education Code 48916)
7. 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)

Maintenance of Records

The Board shall maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls, within five days of a written request by the admitting school. (Education Code 48900.8, 48918(k))

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district. (Education Code 48915.1)

(cf. 5119 - Students Expelled from Other Districts)

(cf. 5125 - Student Records)

Notifications 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 also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering or sale of controlled substances, alcohol, or intoxicants of any kind. (Education Code 48902)

Ouome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion.
2. The grounds for each recommended expulsion.
3. Whether the student was subsequently expelled.
4. Whether the expulsion order was suspended.
5. The type of referral made after the expulsion.
6. The disposition of the student after the end of the expulsion period.

Regulation: REDLANDS UNIFIED SCHOOL DISTRICT

Approved: June 27, 1995, Redlands, California

(D) Procedures to Notify Teachers of Dangerous Pupils (EC 49079)

Pursuant to legislative Bill AB 29 and California Education Code Section 49079, a notice is sent to inform teachers that they have a legal right to review the cumulative file of each pupil who has engaged in, or is reasonably suspected to have engaged in, any of the acts described in any of the subdivisions, except subdivision (h), of Section 48900.

(E) Sexual Harassment Policies (EC 212.6 [b])

Policy 4119.11: Sex Discrimination and Sex-Based Harassment

The Governing Board is committed to providing a safe work environment that is free of harassment and intimidation. The Board prohibits sexual harassment against district employees by anyone, in any manner, and prohibits retaliatory action or behavior against any persons who complains, testifies, or otherwise participates in the complaint process established pursuant to this policy and accompanying administrative regulation. This policy shall apply to all district employees, interns, volunteers, contractors, job applicants, and other persons with an employment relationship with the district.

(cf. 0410 - Nondiscrimination in District Programs and Activities) (cf. 4030 - Nondiscrimination in Employment)

Sexual harassment includes, but is not limited to, harassment that is based on the sex, gender, gender identity, gender expression, or sexual orientation of the victim and harassment based on pregnancy, childbirth, or related medical conditions.

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation, and correction of sexual harassment, including but not limited to:

1. Providing training to all staff in accordance with law and administrative regulation.
2. Publicizing and disseminating the district's sexual harassment policy to staff.
3. Ensuring prompt, thorough, equitable, and fair investigation of complaints
4. Taking timely and appropriate corrective/remedial actions which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments.

The Superintendent or designee shall periodically evaluate the effectiveness of the district's strategies to prevent and address harassment. Such evaluation may involve conducting regular anonymous employee surveys to assess whether harassment is occurring or is perceived to be tolerated, partnering with researchers or other agencies with the needed expertise to evaluate the district's prevention strategies, and using any other effective tool for receiving feedback on systems and/or processes. As necessary, changes shall be made to the harassment policy, complaint procedures, or training.

Sexual Harassment Reports and Complaints

Any district employee who feels that he/she has been sexually harassed in the performance of their district responsibilities or who has knowledge of any incident of sexual harassment by or against another employee shall immediately report the incident to his/her supervisor, the principal, other district administrator, or the district's Title IX Coordinator. However, an employee may bypass his/her supervisor in filing a complaint if the supervisor is the subject of the complaint. A supervisor, principal, or district administrator who receives a harassment complaint shall promptly notify the Title IX Coordinator.

Once notified, the Title IX Coordinator shall ensure the complaint or allegation is addressed through AR 4119.12/4219.12/4319.12 – Title IX Sexual Harassment Complaint Procedures or AR 4030- Nondiscrimination in Employment, as applicable. Because a complaint or allegation that is dismissed or denied under the Title IX complaint procedure may still be subject to consideration under state law, the Title IX Coordinator shall ensure that any implementation of AR 4119.12/4219.12/4319.12 concurrently meets the requirements of AR 4030.

Notwithstanding the above, BP/AR 4119.12/4219.12/4319.12 and 4030 shall under no circumstances be used to resolve complaints brought by, on behalf of, or against students. All complaints brought by, on behalf of, or against students that allege "sexual harassment" as that term is defined in the federal regulations implementing Title IX of the Education Amendments of 1972 (see 34 C.F.R. § 106, et seq.) shall be investigated and resolved under BP/AR 5145.71. All complaints brought by, on behalf of, or against students that do not meet the definition of "sexual harassment" as set forth in the Title IX implementing regulations shall be investigated and resolved under BP/AR 1312.3.

(cf. 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaints)

The Title IX Coordinator shall offer supportive measures to the complainant and respondent, as deemed appropriate under the circumstances.

Upon investigation of a sexual harassment complaint, any district employee who engages, or participates in sexual harassment, or who aids, abets, incites, compels, or coerces another to commit sexual harassment in violation of this policy is subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Reports) (cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4218 -

Dismissal/Suspension/Disciplinary Action)

Regulation 4119.12: Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures

The complaint procedures described in this administrative regulation shall be used to address any complaint governed by Title IX of the Education Amendments of 1972 alleging that a district employee, while in an education program or activity in which a district school exercises substantial control over the context and respondent, was subjected to one or more of the following forms of sexual harassment: (34 CFR 106.30, 106.44)

1. A district employee conditioning the provision of a district aid, benefit, or service on a person's participation in unwelcome sexual conduct
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291 (cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

All other sexual harassment complaints or allegations shall be investigated and resolved in accordance with AR 4030

- Nondiscrimination in Employment. The determination of whether the allegations meet the definition of sexual harassment under Title IX shall be made by the district's Title IX Coordinator.

(cf. 4030 - Nondiscrimination in Employment)

Because the complainant has a right to pursue a complaint under AR 4030 for any allegation that is dismissed or denied under the Title IX complaint procedure, the Title IX Coordinator shall ensure that all requirements and timelines for AR 4030 are concurrently met while implementing the Title IX procedure.

Reporting Allegations/Filing a Formal Complaint

An employee who is the alleged victim of sexual harassment may submit a report of sexual harassment to the district's Title IX Coordinator using the contact information listed in AR 4119.11/4219.11/4319.11 - Sexual Harassment or to the employee's direct supervisor or other district administrator, who shall forward the report to the Title IX Coordinator within one day of receiving the report. Upon receiving such a report, the Title IX Coordinator shall inform the complainant of the right to file a formal complaint and the process for filing a formal complaint.

A formal complaint, with the complainant's physical or digital signature, may be filed with the Title IX Coordinator in person, by mail, by email, or by any other method authorized by the district. (34 CFR 106.30)

Even if the alleged victim chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations when a safety threat exists. In addition, the Title IX Coordinator may file a formal complaint in other situations as permitted under the Title IX regulations, including as part of the district's obligation to not be deliberately indifferent to known allegations of sexual harassment. In such cases, the Title IX Coordinator shall provide the alleged victim notices as required by the Title IX regulations at specific points in the complaint process.

The Title IX Coordinator, investigator, decision-maker, or a facilitator of an informal resolution process shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. Such persons shall receive training in accordance with 34 CFR 106.45. (34 CFR 106.45)

Supportive Measures

Upon receipt of a report of Title IX sexual harassment, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures and shall consider the complainant's wishes with respect to the supportive measures implemented. Supportive measures shall be offered as appropriate, as reasonably available, and without charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures shall be nondisciplinary, nonpunitive, and not unreasonably burden the other party, including measures designed to protect the safety of all parties or the district's educational environment or to deter sexual harassment. Supportive measures may include, but are not limited to, counseling, extensions of deadlines, modifications of work schedules, mutual restrictions on contact, changes in work locations, leaves of absence, increased security, and monitoring of certain areas of the campus. (34 CFR 106.30, 106.44)

The district shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the district's ability to provide the supportive measures. (34 CFR 106.30)

Emergency Removal

If a district employee is the respondent, the employee may be placed on administrative leave during the pendency of the formal complaint process. (34 CFR 106.44)

If the respondent is a student, the district may, on an emergency basis, remove the student from the district's education program or activity, provided that the district conducts an individualized safety and risk analysis, determines that removal is justified due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations, and provides the student with notice and an opportunity to challenge the decision immediately following the removal. This authority to remove a student does not modify a student's rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973. (34 CFR 106.44)

Dismissal of Complaint

The Title IX Coordinator shall dismiss a formal complaint if the alleged conduct would not constitute sexual harassment as defined in

34 CFR 106.30 even if proved. The Title IX Coordinator shall also dismiss any complaint in which the alleged conduct did not occur in the district's education program or activity or did not occur against a person in the United States, and may dismiss a formal complaint if the complainant notifies the district in writing that the complainant would like to withdraw the complaint or any allegations in the complaint, the respondent is no longer employed by the district, or sufficient circumstances prevent the district from gathering evidence sufficient to reach a determination with regard to the complaint. (34 CFR 106.45)

Upon dismissal, the Title IX Coordinator shall promptly send written notice of the dismissal and the reasons for the dismissal simultaneously to the parties and shall inform them of their right to appeal the dismissal of a formal complaint or any allegation in the complaint in accordance with the appeal procedures described in the section "Appeals" below. (34 CFR 106.45)

If a complaint is dismissed, the conduct may still be addressed pursuant to AR 4030 - Nondiscrimination in Employment as applicable.

Informal Resolution Process

When a formal complaint of sexual harassment is filed, the district may offer an informal resolution process, such as mediation, at any time prior to reaching a determination regarding responsibility. The district shall not require a party to participate in the informal resolution process or to waive the right to an investigation and adjudication of a formal complaint. (34 CFR 106.45)

The district may facilitate an informal resolution process provided that the district: (34 CFR 106.45)

1. Provides the parties with written notice disclosing the allegations, the requirements of the informal resolution process, the right to withdraw from the informal process and resume the formal complaint process, and any consequences resulting from participating in the informal resolution process, including that records will be maintained or could be shared.
2. Obtains the parties' voluntary, written consent to the informal resolution process

Written Notice

If a formal complaint is filed, the Title IX Coordinator shall provide the known parties with written notice of the following: (34 CFR 106.45)

1. The district's complaint process, including any informal resolution process
2. The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known. Such notice shall be provided with sufficient time for the parties to prepare a response before any initial interview. If, during the course of the investigation, new Title IX allegations arise about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.
3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process
4. The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an attorney, and the ability to inspect and review evidence
5. The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process

The above notice shall also include the name of the investigator, facilitator of an informal process, and decision-maker and shall inform the parties that, if at any time a party has concerns regarding conflict of interest or bias regarding any of these persons, the party should immediately notify the Title IX Coordinator.

Investigation Procedures

During the investigation process, the district's designated investigator shall: (34 CFR 106.45)

1. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and

exculpatory evidence

2. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence
3. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney
4. Not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding, although the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as the restrictions apply equally to both parties
5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate
6. Send in an electronic format or hard copy to both parties and their advisors, if any, the evidence obtained as part of the investigation that is directly related to the allegations raised in the complaint, and provide the parties at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report
7. Objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and determine credibility in a manner that is not based on a person's status as a complainant, respondent, or witness
8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review and written response

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. (34 CFR 106.45)

Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.

If the complaint is against an employee, rights conferred under an applicable collective bargaining agreement shall be applied to the extent they do not conflict with the Title IX requirements.

Written Decision

The Superintendent shall designate an employee as the decision-maker to determine responsibility for the alleged conduct, who shall not be the Title IX Coordinator or a person involved in the investigation of the matter. (34 CFR 106.45)

After the investigative report has been sent to the parties but before reaching a determination regarding responsibility, the decision-maker shall afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party.

The decision-maker shall issue, and simultaneously provide to both parties, a written decision as to whether the respondent is responsible for the alleged conduct. (34 CFR 106.45)

The written decision shall be issued within 60 calendar days of the receipt of the complaint.

The timeline may be temporarily extended for good cause with written notice to the complainant and respondent of the extension and the reasons for the action. (34 CFR 106.45)

In making this determination, the decision-maker shall use the "preponderance of the evidence" standard for all formal complaints of sexual harassment. (34 CFR 106.45)

The written decision shall include the following: (34 CFR 106.45)

1. Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR 106.30

2. A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the district includes hearings as part of the grievance process
3. Findings of fact supporting the determination
4. Conclusions regarding the application of the district's code of conduct or policies to the facts
5. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's educational program or activity will be provided by the district to the complainant
6. The district's procedures and permissible bases for the complainant and respondent to appeal

Appeals

Either party may appeal the district's decision or dismissal of a formal complaint or any allegation in the complaint, if the party believes that a procedural irregularity affected the outcome, new evidence is available that could affect the outcome, or a conflict of interest or bias by the Title IX Coordinator, investigator(s), or decision-maker(s) affected the outcome. If an appeal is filed, the district shall: (34 CFR 106.45)

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties
2. Ensure that the decision-maker(s) for the appeal is trained in accordance with 34 CFR 106.45 and is not the same decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator
3. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome
4. Issue a written decision describing the result of the appeal and the rationale for the result
5. Provide the written decision simultaneously to both parties

An appeal must be filed in writing within 10 calendar days of receiving the notice of the decision or dismissal, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered.

A written decision shall be provided to the parties within 20 calendar days from the receipt of the appeal.

Either party has the right to file a complaint with the U.S. Department of Education's Office for Civil Rights within 180 days of the date of the most recently alleged misconduct.

The complainant shall be advised of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal antidiscrimination laws, if applicable.

Remedies

When a determination of responsibility for sexual harassment has been made against the respondent, the district shall provide remedies to the complainant. Such remedies may include the same individualized services described above in the section "Supportive Measures," but need not be nondisciplinary or nonpunitive and need not avoid burdening the respondent. (34 CFR 106.45)

Disciplinary Actions

The district shall not impose any disciplinary sanctions or other actions against a respondent, other than supportive measures as described above in the section "Supportive Measures," until the complaint procedure has been completed and a determination of responsibility has been made. (34 CFR 106.44)

When an employee is found to have committed sexual harassment or retaliation, the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Report)

(cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4119.11/4219.11/4319.11 - Sexual Harassment) (cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Record-Keeping

The Superintendent or designee shall maintain, for a period of seven years: (34 CFR 106.45)

1. A record of all reported cases and Title IX investigations of sexual harassment, any determinations of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary sanctions imposed, any remedies provided to the complainant, and any appeal or informal resolution and the results therefrom.
2. A record of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment, including the district's basis for its conclusion that its response was not deliberately indifferent, the measures taken that were designed to restore or preserve equal access to the education program or activity, and, if no supportive measures were provided to the complainant, the reasons that such a response was not unreasonable in light of the known circumstances.
3. All materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process. The district shall make such training materials publicly available on its web site, or if the district does not maintain a web site, available upon request by members of the public.

(cf. 1113 - District and School Web Sites) (cf. 3580 - District Records)

(F) School-wide Dress Code Relating to Gang-Related Apparel (EC 35183)

Policy 5132.16: Student Dress Guidelines

The Governing Board believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Students' clothing must not present a health or safety hazard or a distraction which would interfere with the educational process.

Students and parents/guardians shall be informed about dress and grooming standards at the beginning of the school year and whenever these standards are revised. A student who violates these standards shall be subject to appropriate 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 dress code may be included as part of the school safety plan and must be presented to the Board for approval. The Board shall approve the plan upon determining that it is necessary to protect the health and safety of the school's students.

Uniforms

The Board recognizes that, in order to promote student safety and discourage peer rivalry and/or gang activity, the principal, staff and parent/guardian at a school site may wish to establish a reasonable dress code, which may include voluntary school uniforms.

Dress codes, which include voluntary school uniforms, may be included as part of the school safety plan submitted as required.

The Superintendent or designee shall establish procedures that schools, parents and guardians will follow if they decide to participate with the voluntary school uniform policy. Students shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardian decide not to participate.

The Governing Board feels that there is nothing inherently wrong with dress or color of dress, but when student's dress serves to intimidate or impede the rights of other students it will be determined that dress is in violation of this policy. A student may not remain at school dressed in a manner which (1) creates a safety hazard for said student or for other students at school, and/or (2) when the dress constitutes a serious and unnecessary distraction to the learning process or tends to disrupt campus order

When the site administrator/designee determines that a student's attire is in violation of this policy, the student will be required to modify his/her clothing and/or apparel in such a manner that it no longer violates this policy. If necessary, the student may be taken or sent home with parental permission to modify unacceptable dress and return to school. Refusal to take steps as described in this policy shall be cause for disciplinary action against the student. Any such disciplinary action shall be handled pursuant to existing student disciplinary policy

Parents/guardians have primary responsibility to see that students are properly attired for school. School district personnel have the responsibility for maintaining proper and appropriate conditions conducive to learning. Hence, the following guidelines will be implemented in all district schools.

1. Shoes will be worn at all times. A substantial sole is required and enclosed toe and heel footwear are highly encouraged.
2. Extremely brief garments that are distracting to the educational environment are not appropriate. Clothing shall be sufficient to conceal undergarments at all times.
3. Clothing or accessories shall be free of writing, pictures or any other insignia which are crude, violent, obscene or sexually suggestive or which advocate racial, ethnic or religious prejudice or the use of tobacco, drugs or alcohol.
4. Earrings, jewelry, or accessories which present a safety hazard to the wearer or others are not suitable for school wear.
5. Only prescription sunglasses may be worn in class. Other types of sunglasses may be worn on campus outside of class.
6. Identified gang attire such as bandannas, haircuts or hair rollers, or any gang paraphernalia are prohibited.

Students are allowed to wear sun protective clothing, including hats, while outdoors during the school day. Each school site will develop a policy indicating the type of sun protective hats that are permitted.

No grade of a student participating in a physical education class shall be adversely affected if the student does not wear standardized physical education apparel because of circumstances beyond the student's control. (Education Code 49066) All clothing worn during physical education shall meet reasonable safety standards.

The purpose of adopting these Student Dress Guidelines is not to infringe on any individual student's rights to freedom of expression, but rather to encourage students to dress appropriately and come to school properly prepared for participating in the educational process.

Gang-Related Apparel

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed as needed and updated as necessary.

Uniforms

In schools where a majority of parents respond and indicate on a survey that they desire to establish a voluntary school-wide uniform dress code, the principal, staff and the parents/guardians of the individual school site shall:

1. Jointly select the specific uniform to be worn. (Education Code 35183)
2. Describe the uniform parts and identify local vendors who sell those pieces of clothing. A description of the implementation of the voluntary uniform dress code will be submitted to the superintendent's designee including:
 - a. The process for parent notification
 - b. Positive procedures that will be used to encourage students to participate with the voluntary uniform dress code
3. A description of the uniform and a list of costs for each competitively priced item of clothing as provided by a variety of vendors will be sent to parents.
4. Parents will be notified that this is a voluntary uniform dress code and that students not participating shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardians so decide.

Parent Notification

The principal shall give parents/guardian at least six months notice before a school site implements a voluntary school uniform dress code. (Education Code 35183)

(G) Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School (EC 35294.2)

(H) A Safe and Orderly School Environment Conducive to Learning (EC 35294.2)

Component:

Physical Environment

The Schools' Location and Physical Environment

Cope Middle School is located in the Redlands area of San Bernardino County that has an average crime rate and average poverty level. The immediate area around the school includes Residential neighborhoods, a local grocery store, other schools, and churches.

Present safety hazards include overhead electrical lines, busy traffic, some uneven walkways due to age of campus..

Description of School Grounds

The school site encompasses 15 acres. The grounds are grass, concrete and asphalt and includes basketball and volleyball courts, baseball diamonds and a lined track. There are several wings and/or clusters of classrooms including 49 classrooms, 27 relocatable classrooms. Other ancillary structures include PE fields and courts, gardens, multi-purpose room, 2 locker rooms, counseling office, library, kitchen, and student store.

During the school day, staff members and administrators shall provide campus supervision. Identified problem areas receive increased supervision to reduce discipline, crime, or other school safety concerns.

It shall be the practice of Cope Middle School to remove all graffiti from school property before pupils arrive to begin their school day. Other acts of vandalism are promptly addressed.

Maintenance of School Buildings/Classrooms

The school's physical facility is well maintained and generally looks neat and clean. The school was most recently painted 2019 renovated during the 2008 year. In 2020 major upgrades and repairs were made to landscaping and areas around classrooms.

District personnel periodically examine the school's physical facility and help eliminate obstacles to school safety. Additionally, health and fire department inspectors contribute to school safety.

As issues arise, school work orders are submitted so that improvements can be made in a timely fashion.

Internal Security Procedures

Cope Middle School has established procedures in the following areas: California Safe School Assessment (CSSA) reporting procedures, suspension and expulsion procedures, inventory system, and visitor check-in system through Raptor, behavior intervention programs, student contracts, mandated reporting, Eagle Academy (Alternative to Suspension Program), campus safety walks, Progress Advisor app,etc..

Cope Middle School crime statistics reflect a total of 0 crimes reported during the 2021/22 school year.

Keeping reportable crimes at a minimum requires constant vigilance. The following strategies will be utilized in achieving this goal: Supervision provided by school staff; utilization of a team of campus monitors; weekly meetings with admin, counselors, and safety officers; a "firm, fair, and consistent" approach to violations of school rules; progressive discipline model, Alternative to Suspension program (Eagle Academy); daily campus facility walks, etc.

Cope Middle School maintains a copy of the district's sexual harassment policy in the main office/principal's office and the policy is available on request. The District's Sexual Harassment Policy contains dissemination plans, applicable definitions, reporting requirements, investigation procedures, enforcement regulations, and information related to suspension and/or expulsion for sexual harassment of or by pupils. Additionally, a notice summarizing this sexual harassment policy appears in the Parent & Student Handbook. The parent student handbook is distributed at the beginning of each school year to all parents and pupils.

To ensure the safety of pupils and staff, all visitors to the campus, except pupils of the school and staff members, shall register immediately upon entering any school building or grounds when school is in session. District employees, not assigned to Cope Middle School shall wear appropriate identification badges while on campus conducting business.

Discipline procedures shall focus on finding the cause of problems and working with all concerned to reach the proper, lawful solutions. The school's discipline plan begins at the classroom level. Teachers shall use a visible classroom management plan to communicate classroom rules, promote positive pupil conduct, and reduce unacceptable conduct. Appropriate consequences are administered based on the seriousness of the pupil's misbehavior.

Pupil conduct standards and consequences for Cope Middle School are specifically described in this Comprehensive Schools Safety Plan including: (a) the adopted school discipline rules and procedures, (b) District Disciplinary Guidelines, and (c) the adopted school-wide dress code.

Pupils may be suspended, transferred to another school, or recommended for expulsion or for certain acts. For specific student violations, a mandatory expulsion recommendation shall be submitted by the administration of Cope Middle School.

Site administrators contribute to a positive school climate, promote positive pupil behavior, and help reduce inappropriate conduct.

The principal/designee uses available district and other appropriate records to inform teachers of each pupil identified under E.C. 49079.

Law enforcement is contacted and consulted to help maintain and to promote a safe and orderly school environment. Cope Middle School employees comply with all legal mandates, regulations, and reporting requirements for all instances of suspected child abuse.

If appropriate, additional internal security procedures affecting the integrity of the school facility include: Reviewing and practicing drills for lockdowns, high-alert lockdowns, fires, and earthquakes, daily safety walks, etc.

Community involvement is encouraged to help increase school safety.

All visitors must check in the front office and have their ID checked with the Raptor system.

Inventory System - Engraved ID, Security Storage

Most school-site equipment has a metal ID tag or a barcode sticker adhered to its surface. These items are inventoried annually and there is an established accountability system. Office and classroom supplies are secured.

Element:

Goal 1:

Cope Middle School will maintain safe and clean physical environment and facilities.

Opportunity for Improvement:**I. Areas of Pride and Desired Improvements****a. Pride**

1. Cope Middle School's custodial team keeps our facilities in working order.
2. Cope Middle School staff work closely with many organizations and resources to offer support to students in need.

b. Areas of Desired Improvement

1. There are ongoing facility needs that arise (plumbing, painting, etc.) due to age of facility.
2. Cope Middle School would like to improve upon opportunities for parents to work with the school to identify and solve disruptive behaviors.

Objectives	Action Steps	Resources	Lead Person	Evaluation
II. Desired Change #1 Cope Middle School would like to improve upon our already clean and safe campus.	a. Related Strategies and Activities 1. Regular meetings with custodial staff, student work days, student rewards for practicing good cleaning habits, etc. Implementation of an online Facility Maintenance Request form, which allows staff to digitally report problems and tracks the service request through completion. 2. Debrief with the safety team every morning prior to school.	b. Resources Required 1. Site general funds - varies based on ongoing needs 2. District appropriated funds e. Budget 1. Varies based on need	c. Personnel Assignments 1. School custodial and safety personnel 2. School Safety Team - team of teachers, safety, admin, custodian, community members, and students.	f. Evaluation criteria 1. Campus walks by site and district personnel 2. Custodial request form to track issues and completion d. Timeframe for completion 1. Ongoing
III. Desired Change #2 Replace the Disaster and Safety storage container due to leaks and contamination of supplies.	a. Related Strategies and Activities 1. Replace items damaged by water leaks 2. Clean items that can be re-used	b. Resources Required 1. Site general funds - varies based on ongoing needs 2. District appropriated funds e. Budget 1. Varies based on need	c. Personnel Assignments 1. School custodial and safety personnel 2. School Safety Team - team of teachers, safety, admin, custodian, community members, and students.	f. Evaluation criteria 1. Campus walks by site and district personnel 2. Custodial request form to track issues and completion d. Timeframe for completion 1. Completed by 12/1/2024

Component:

School Climate

The School's Social Environment

Leadership at Cope Middle School is a shared process. A proactive role is assumed in all phases of the school operation. The current management team is committed to developing Cope Middle School toward excellence in the areas of academic and social behavior.

The principal sets a positive tone for the school, guides the staff and works closely with them on curriculum and school safety issues. The school site's organizational structure is open and flexible, contributing to sensitivity concerning school safety issues and promoting a safe, orderly school environment conducive to learning.

Disaster Procedures, Routine and Emergency

A contingency plan for emergencies is contained in a handbook available to each staff member. The District's Emergency Response Plan - (ERP Plan) is listed at the last section of this plan. The plan is reviewed at the beginning of each school year. This plan also contains available district and outside agency resources, emergency disaster procedures and information on Standardized Emergency Management System (SEMS).

Cope Middle School teachers provide a varied learning environment in their classrooms. Teachers use a variety of teaching strategies including: Direct Instruction, lecture, labs, group work, public speaking, presentations, cross-curricular projects, online instruction, etc.

The teachers at Cope Middle School are highly qualified, with many teachers holding advanced degrees. The staff is united in their desire to provide quality education for all pupils. Classrooms and teachers provide a safe, orderly learning environment, enhance the experience of learning, and promote positive interactions amongst pupils and staff. Instructional time is maximized and disruptions are minimized.

The School's Cultural Environment

There is a high level of cohesiveness among the staff members at Cope Middle School. Cooperation and support between teachers and the administration is evident. Efforts are made by the administration and staff to show concern for all pupils.

All pupils are expected to behave in a manner that promotes safety and order. Pupils are encouraged to bring problems to the principal, assistant principal, counselor, teacher or other staff members. The everyday goal is for the staff to be proactive rather than reactive in all situations of concern.

The academic and behavior efforts of pupils are recognized and rewarded.

Cultural diversity is celebrated throughout the year by Holding schoolwide expectations, teaching tolerance of others, African American Parent Council meetings, celebrating the differences between cultures through clubs and at events, such as the RUSD Multicultural fair, Black Student Union, Adelante , Pride Club, Climate and Culture committee etc..

Element:

Goal 2:

Cope Middle School will provide and maintain a safe and positive learning culture and climate for all students.

Opportunity for Improvement:

I. Areas of Pride and Desired Improvements

a. Pride

1. Cope Middle School is a California Gold Ribbon School.

2. Cope has implemented PBIS through the schoolwide focus of SOAR: Safe, Organized, Accountable, Respectful. Each classroom will have SOAR expectation posters in their classes for classroom, school and on-line expectations, as well as large banners around school. A schoolwide recognition program has been developed to honor those students who exemplify the SOAR character traits. The SOAR program has been recognized as a Silver Medal program by the California PBIS Coalition.

b. Areas of Desired Improvement

1. Increase the number of after school, before school, and lunch-time clubs

2. Decrease excessive tardies, trancies, and suspensions.

Objectives	Action Steps	Resources	Lead Person	Evaluation
<p>II. Desired Change #1</p> <p>Cope Middle School would like to increase student and parent perception of a positive school climate.</p>	<p>a. Related Strategies and Activities</p> <p>1. School-wide implementation of SOAR (positive behavior interventions and supports) with students, staff and community. Each classroom will have SOAR expectation posters in their classes for classroom, school and on-line expectations, as well as, large banners around school.</p> <p>2. School-wide discipline data analysis and school culture surveys. Implementation of an Alternative to Suspension program (Eagle Academy) which uses PBIS, Restorative Practices, Community Service and SEL Counseling to address the student needs that led to their suspendable offense.</p>	<p>b. Resources Required</p> <p>1. District appropriate funds to continually fund and support PBIS.</p> <p>e. Budget</p> <p>1. \$10,000 character education funds.</p>	<p>c. Personnel Assignments</p> <p>1. Climate and Culture Team - team of teachers, admin, safety, counselors, and at times, students.</p>	<p>f. Evaluation criteria</p> <p>1. Discipline data analysis</p> <p>2. Parent / student climate survey and perception data</p> <p>d. Timeframe for completion</p> <p>1. Yearly, end of school year review and reflection</p>

Component:

Element:

Opportunity for Improvement:

Objectives	Action Steps	Resources	Lead Person	Evaluation

(I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5)

Cope Middle School Student Conduct Code

Procedures to Ensure a Safe and Orderly Environment

Rules and Procedures on School Discipline

Philosophy of Discipline

- Behavior expectations and the consequences for not meeting expectations must be clearly communicated to all students and their parents (in writing as well as verbally).
- The severity of consequences for violating behavior expectations increases with each incident of inappropriate behavior.
- The consequences for violating behavior expectations should be severe enough to discourage students from making poor behavior decisions.
- Expectations and consequences should permit students an opportunity to eliminate inappropriate behavior.

Additionally, the school staff recognizes that the middle school years are a transition time from adolescence to young adulthood. As a part of this transition, the student is given greater opportunities to be responsible and demonstrate independence and good judgment. The structure of our behavior expectations (in the classroom as well as school wide) is meant to encourage students to be responsible. The first step in many instances of inappropriate behavior (those considered to be "minor") is a simple warning ("Your behavior is unacceptable. Please stop such behavior"). It is only when a student ignores such warnings and continues to choose to act irresponsibly (like a child rather than an emerging adult) that we involve parents and implement consequences.

Elements of a Good Discipline Program

1. The program is focused upon making the entire campus, especially the classroom, a safe, supportive and orderly environment for learning for students and staff.
2. Classroom authority is retained by the classroom teacher. (Administration's role is to support, not to replace.)
3. Rules and procedures are clearly understood by staff and students.
4. All staff members will acknowledge and take appropriate action on any minor or major infraction of the school rules.
5. Rules and procedures comply with State Law and District policies.
6. The program recognizes the responsibilities and the rights of students and staff.
7. Program is structured to keep students in class and engaged in the educational process.
8. Rules are enforced:
 - A. by all staff members at all times.
 - B. strictly, but not rigidly (beware of "automatics").
 - C. in substantial part by adult modeling.
 - D. using techniques that promote the growth of positive self-esteem.
 - E. as close to the source as is possible.
 - F. by keeping parents informed.
9. The discipline program is understood, endorsed, and supported by staff, parents, and students.

PRINCIPAL'S STATEMENT TO EDMS STAFF

Expectations in Developing & Maintaining Discipline

As Principal of Cope Middle School, I will expect:

Each teacher to have a defined system of classroom management.

You can expect each administrator to assist and support you in every reasonable way in developing, implementing, and refining that system as needed.

I will expect:

That when you refer a student for discipline:

1. The student has been made fully aware of classroom and school rules and knows what rules he/she has violated.
2. That information will be provided on the referral regarding previous actions you have taken regarding this specific issue.
3. You have exhausted the interventions at your disposal (i.e., you have done everything you can do) and you have followed the guidelines established by the administration and staff on what constitutes an appropriate behavior referral.
4. The behavior was so serious or so blatant as to make immediate removal from the classroom necessary.
5. The written referral will be explicit in stating the offense(s).
6. You will send the student out of class with a referral only if his/her continued presence in the class would disrupt or prevent teaching and/or learning.
7. If necessary, the referral will be delivered to the office at a time convenient to the staff member so that the issue may be handled most efficiently, causing a minimum of lost class time
8. That each teacher will make parent notification regarding the discipline infraction.

You can expect

1. Each administrator to support your position in every reasonable way.
2. A response time on your referral of one, or at most, two days.

3. The availability of an administrator to discuss unresolved referrals after school on any given day.
4. That the administrator will exercise independent judgment regarding disposition of referrals.

I will expect

1. That each teacher will go to the doorway of his/her classroom after each class period as often as possible to greet their students.
2. That each staff member will hold students accountable for their behavior on the school grounds at all times.

You can expect

1. Administrator support, investigation, and follow-through as indicated.
2. A response to referrals from incidents outside the classroom to be the same as to those within.

Kate Van Luven
Principal

The school discipline policy is summarized in the student/parent handbook which every parent has to acknowledge reading when they do their student's data confirmation in Aeries at the beginning of each school year. Parents and students acknowledge that they have read and discussed the handbook. Responsibility and school procedures are covered as part of the Week of Wow during the first two school days of the school year.

WHAT TO DO WHEN PROBLEMS APPEAR

Both behavioral and academic problems are present in some of our students. Teachers often ask for guidelines for dealing with these problems. Here they are:

1. Talk to the administrator assigned to your grade level.
2. Call parents at first sign of concern. Inform the parents of your observations, ask for their ideas, assistance, and support in serving the student. Keep a log of your calls.
3. If possible, talk privately to the student about your concerns.
4. Behavior concerns—look through students' CUM file. Any official suspensions will be in file, also look for teacher comments on report cards. Look for patterns of behavior. We use In-House Suspension whenever possible, as it is preferable to having students at home unattended—and it saves the district money. Serious infractions (fighting, threats, etc.) do result in official suspension. Unresponsive students can be moved to other schools or expelled.
5. Referrals—please remember if you write a student referral, you are required to call the parents. You are writing the referral and can answer the parents' questions firsthand. Administrators will also call parents, but we can only give secondhand information on the incident.
6. Academic Concerns—again, look through student CUM. This will contain test scores, report cards, and a student history. You may want to ask the grade level administrator to schedule a Student Study Team (SST). This will involve a meeting with the student, parents, administrators, students' teachers, and perhaps the psychologist

Conduct Code Procedures

(K) Hate Crime Reporting Procedures and Policies

Redlands Unified School District maintains an anonymous tip line where students are encouraged to report vandalism, graffiti, or other crimes. The phone number is: 1-800-78- CRIME or www.wetip.org Families may also use the Sprigeo app to report safety-related concerns to themselves, other students, or the campus.

BULLYING/ HATE CRIME / HARASSMENT / INTIMIDATION / RELATIONAL AGGRESSION can all be reported by using the 1-800-78-CRIME or the SPRIGEIO app. If a student believes they or another student is being bullied or harassed, they should report it to a counselor, administrator, or safety officer. Students will be encouraged to fill out the Redlands Unified School District Bullying/Harassment form for ongoing issues. Each report will be investigated, and students will be referred to their counselor for support/resolution.

The Redlands Unified School District Board of Education has established the following: “No student or group of students shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any other student or school personnel.” Those who choose to bully will be disciplined according to district policy and the California Education Code. (48900)

(J) Procedures to Prepare for Active Shooters

RUSD LOCK DOWN

CLASSROOM PROCEDURE CHECK-LIST

LOCK DOWN INFORMATION AND LEVELS

Safe & Secure Mode is a security procedure used to reduce student and staff movement outside school buildings. This may be due to a medical emergency, area disturbance, etc. It is designed to allow for school to carry forward but have the ability to move to Lockdown quickly if needed. During the Safe & Secure mode, there is heightened vigilance on campus by all school staff. All recesses and outdoor activities have ended. Parents/ guardians can have access to their student(s) and may check them out of school if they see fit to do so.

Teachers should continue teaching as normal.

Allow students restroom use with clear administrator/ teacher direction.

Increased available staff presence during passing periods and student dismissal.

Lunch/ activities in a more secure area, unless site admin decides otherwise.

Standard inclement weather schedule remains in place, unless site administrator/ designee decides otherwise.

Perimeter gates, where applicable, will remain locked and monitored by available staff, allowing for central access points.

PE classes will be moved off all fields into more secure locations. (e.g., gym, class, & MPR)

Lock Down is called when a law enforcement event is happening in the vicinity of a school.. The law enforcement agency generally, but not always, contacts the school/district to encourage the school site to Lock Down as a precautionary measure. All

Administrators are expected to place their school in Lock Down in this scenario.

Take a look outside your classroom and gather up any stray students in the hallways.

Ensure that your door is locked.

If windows are open, close them.

Close all drapes and cover door windows.

Project a calm demeanor to help students remain calm.

Reassure students that they are safe.

Do not allow anyone to leave the classroom.

Frequently check your emails for possible updates from your site administrators.

If students are out on the playground or athletic fields, quickly move them to a secure classroom, locker room, or multi-purpose room.

The release and all clear for any lock down is as follows: A security officer or administrator will physically unlock your door and give you a verbal all clear. All students will continue to remain in class until ALL classes are given the all clear by a security officer or administrator. An all call will then follow to release students to their next period as necessary after ALL classes have been physically cleared.

Critical Alert is called when a significant, threatening event is happening on campus or adjacent to campus that creates a potential danger to students and staff. While this may be communicated to the school by law enforcement, it may also be determined by school officials on the scene. Critical Alert assumes that everyone is prepared for a potential significant threat/event on campus. Implement all items from the Lock Down list above.

Turn off all lighting, so it will appear that the room is vacant.

Keep all students sitting on the floor, away from the door or windows.

Do not look out the windows.

Cover window on the door (if one exists).

Advise the students that there is a serious situation, but you don't know what it is.

Project a calm demeanor to help students remain calm. Reassure students that they are safe.

Ensure that everyone in the room turns the ringer off on their cell phones.

Do not allow students to talk on their cell phones (keep the room as quiet as possible).

Do not call the office. They are in the midst of a problem and will not be able to answer

all the calls which may tie up the phone system.

Quietly take roll and make a list of missing students and any extra students that are in your room. IF POSSIBLE email this list to your administrators and school site secretaries.

Do not evacuate students until you are told to, even if the fire bells go off. If, in fact, there is a need for a fire evacuation, you will be notified via the PA system, email, or phone call.

Do not open the door, even if someone knocks and claims to be a staff member.

(Administrator/security/custodian will have a master key).

If students are out on the PE field, do not return them to the locker room. Move them to a safe place (the farthest part of the campus).

Students who are unable to safely enter a structure should run away from the danger and make their way to Smiley Elementary School, .4 miles west of campus. District personnel will work to identify and reunify those students.

The release and all clear for any lock down is as follows: A security officer or administrator will physically unlock your door and give you a verbal all clear. All students will continue to remain in class until ALL classes are given the all clear by a security officer or administrator. An all call will then follow to release students to their next period as necessary after ALL classes have been physically cleared.

Procedures for Preventing Acts of Bullying and Cyber-bullying

BULLYING / HARASSMENT / INTIMIDATION / RELATIONAL AGGRESSION

Bullying can be defined as the use of intimidation, aggression, and/or cruelty with the result of hurting another person. Bullying carries the ramification of causing pain and stress to the victim. Bullying is never justified and is not excusable as “kids being kids,” “just teasing” or any other rationalization.

Specific types of bullying may include, but is not limited to: physical, verbal, mental/emotional, racist/intolerant, and sexual. It may also include the use of social networks and cell phones. If a student believes they or another student is being bullied or harassed, they should report it to a counselor, administrator, or safety officer. Students will be encouraged to fill out the Redlands Unified School District Bullying/Harassment form for ongoing issues. Each report will be investigated, and students will be referred to their counselor for support/resolution.

The Redlands Unified School District Board of Education has established the following: “No student or group of students shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any other student or school personnel.” Those who choose to bully will be disciplined according to district policy and the California Education Code. (48900)

Safety Plan Review, Evaluation and Amendment Procedures

Safety Plan Appendices

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)
Safety Committee Meeting	12/12/2022	Safety Committee Mtg. Minutes
Safety Committee Meeting	2/2/2023	Safety Committee Mtg. Minutes
2023-24 Emergency/Disaster Plan	7/12/2023	Cope Middle School 2023-24 Emergency/Disaster Plan
Safety Committee Meeting	9/23/24	Safety Committee Meeting Minutes

Emergency Response Guidelines

Step One: Identify the Type of Emergency

Step Two: Identify the Level of Emergency

Step Three: Determine the Immediate Response Action

Step Four: Communicate the Appropriate Response Action

Types of Emergencies & Specific Procedures

Earthquake

EARTHQUAKE or EARTHQUAKE DRILL

(Earthquake and/or announced via PA system)

Procedure:

Cease all classwork and duck and cover. Exit when safe, or during a drill, wait one full minute after the bell stops ringing or an announcement is made.

Take class lists, emergency backpack, emergency toilet and supplies.

Clear building calmly but rapidly. Evacuate according to evacuation route (see evacuation map in appendix). Use caution, as buildings may be unstable. Upon entering an area, check for the smell of gas or downed power lines and adjust the evacuation route if necessary. If evacuation is deemed unnecessary, an announcement will be made.

Leave the door unlocked. Place a GREEN "OK" or RED "HELP" sign in the window on the south side of the classroom as you leave. Portable classrooms should place the sign in the window nearest the door.

Send Emergency Status Forms with a trusted student runner to the Command Post member standing at the south end of the lower court (in front of Lecture Hall). Maintain supervision of students until you receive further directions. Paraprofessionals should wait with the teacher and class, and if missing should be reported missing on the Emergency Status Form. Wait for an announcement from administration using megaphone, or a long "All Clear" bell to ring to signal return to class.

Additional Information:

Report to Command Post if on planning period. Team leaders report to the Command Post when directed to do so. After taking attendance and sending Emergency Status form in, all Search and Rescue Team Members should inform nearby teacher to watch his/her class and report to the Command Post.

If an earthquake or earthquake drill takes place when students are not in classrooms (before school, passing period, tutorial, lunch) students will evacuate according to the evacuation route. When they reach the lower field, they will line up with their 1st period teacher.

If an earthquake or earthquake drill takes place after school, students will evacuate according to the evacuation route and line up with their 1st period teacher.

Fire in Surrounding Area

FIRE or FIRE DRILL

(Fire alarms set off and/or announced via PA system)

Procedure:

Cease all classwork.

Take class lists, emergency backpack, emergency toilet and supplies.

Clear building calmly but rapidly. Evacuate according to the evacuation route (see Evacuation map). Use caution, as buildings may be unstable. Upon entering an area, check for the smell of gas or downed power lines and adjust the evacuation route if necessary. If evacuation is deemed unnecessary, an announcement will be made.

The teacher must be the last person out to close the door. Do not lock the door. Place a GREEN "OK" or RED "HELP" sign in the window on the south side, if applicable, side of the classroom as you leave.

If a drill takes place while students are not in class, grab the emergency backpack and class lists and go to the field area. Your FIRST period students will report to you on the field.

Send Emergency Status Forms with a trusted student runner to the Command Post member standing at the south end of the lower court (in front of the Lecture Hall). Maintain supervision of students until you receive further directions. Paraprofessionals should wait with the teacher and class, if missing should be reported missing on Emergency Status Form. Wait for an announcement from administration using a megaphone, or a long "All Clear" bell to ring signaling everybody to return to class.

Additional Information:

Report to Command Post if on planning period. Team leaders report to the Command Post when directed to do so. After taking attendance and sending Emergency Status form in, all Search and Rescue Team Members should inform a nearby teacher to watch his/her class and report to Command Post.

If a fire or fire drill takes place when students are not in classrooms (before school, passing period, tutorial, lunch) students will evacuate according to the evacuation route. When they reach the lower field, they will line up with their 1st period teacher.

If a fire or fire drill takes place after school when students are still present, evacuate according to the evacuation route and students will line up with their 1st period teacher.

Fire on School Grounds

FIRE or FIRE DRILL

(Fire alarms set off and/or announced via PA system)

Procedure:

Cease all classwork.

Take class lists, emergency backpack, emergency toilet and supplies.

Clear building calmly but rapidly. Evacuate according to the evacuation route (see Evacuation map). Use caution, as buildings may be unstable. Upon entering an area, check for the smell of gas or downed power lines and adjust the evacuation route if necessary. If evacuation is deemed unnecessary, an announcement will be made.

The teacher must be the last person out to close the door. Do not lock the door. Place a GREEN "OK" or RED "HELP" sign in the window on the south side, if applicable, side of the classroom as you leave.

If a drill takes place while students are not in class, grab the emergency backpack and class lists and go to the field area. Your FIRST period students will report to you on the field.

Send Emergency Status Forms with a trusted student runner to the Command Post member standing at the south end of the lower court (in front of the Lecture Hall). Maintain supervision of students until you receive further directions. Paraprofessionals should wait with the teacher and class, if missing should be reported missing on Emergency Status Form. Wait for an announcement from administration using a megaphone, or a long "All Clear" bell to ring signaling everybody to return to class.

Additional Information:

Report to Command Post if on planning period. Team leaders report to the Command Post when directed to do so. After taking attendance and sending Emergency Status form in, all Search and Rescue Team Members should inform a nearby teacher to watch his/her class and report to Command Post.

If a fire or fire drill takes place when students are not in classrooms (before school, passing period, tutorial, lunch) students will evacuate according to the evacuation route. When they reach the lower field, they will line up with their 1st period teacher.

If a fire or fire drill takes place after school when students are still present, evacuate according to the evacuation route and students will line up with their 1st period teacher.

Pandemic

Blood Borne Pathogen Incident Reporting Form and Exposure Control Plan

Policy 5141.22: Infectious Diseases

The Governing Board desires to protect students from risks posed by exposure to infectious diseases while providing an appropriate education for all students.

The Superintendent or designee shall determine whether to admit a student with an infectious disease, and shall exclude students only in accordance with law. In making this determination, he/she shall consult the student's parents/guardians, the student's physician and/or the county health department, in accordance with law and consistent with confidentiality provisions. Because bloodborne pathogens such as hepatitis B virus, hepatitis C virus and human immunodeficiency virus (HIV) are not casually transmitted, the sole presence of bloodborne pathogens is not sufficient reason to exclude students from attending school.

cf. 5112.2 - Exclusions from Attendance)
(cf. 5141.26 - Tuberculosis Testing)
(cf. 5141.3 - Health Examinations)
(cf. 6158 - Independent Study)
(cf. 6159 -Individualized Education Program)
(cf. 6183 - Home/Hospital Instruction)

Parents/guardians are encouraged to inform the Superintendent or designee if their child has an infectious disease so that school staff may work cooperatively with the student's parents/guardians to minimize the child's exposure to other diseases in the school setting. The Superintendent or designee shall ensure that student confidentiality rights are strictly observed in accordance with law. No district employee shall release medical information, including knowledge of a bloodborne pathogen infection, without written consent from the parent/guardian or adult student. Such information shall be shared only with those persons specifically named in the written permission.

(cf. 5125 - Student Records)
(cf. 5022 -Student and Family Privacy Rights)

The Board requires students and staff to routinely observe universal precautions to prevent exposure to bloodborne pathogens and to prevent the spread of all infectious disease.

cf. 4119.42/4219.42/4319.42 -Exposure Control Plan for Bloodborne Pathogens)

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)
(cf. 5141.23 - Infectious Disease Prevention)

The Superintendent or designee shall ensure that the district's health education program provides information about the nature of bloodborne pathogens and their transmission.

(cf. 5141.6 - Student Health and Social Services)
(cf. 6142.2 - Sexual Health and HIV/AIDS Prevention Instruction)
(cf. 6142.8 - Comprehensive Health Education)

Blood Borne Pathogens - Safety Practices

Procedures and Regulations

1. General

1.1 While recognizing that both students and employees diagnosed with an infectious blood borne disease are entitled to a confidential relationship between themselves, the medical community and/or other agencies, the Board of School Trustees encourages these individuals to meet with the School Principal and/or Superintendent of Schools to discuss their disease and immediate and future needs.

1.2 Assessment

2. Students:

2.1. The Superintendent (or designate) will be informed, by the school principal as soon as is known, of any student infected with an infectious blood borne disease.

2.2. A Risk Assessment will be conducted using a team approach including the personal physician, public health personnel, the parent or guardian, and school district personnel as appropriate and will make recommendations about the type of educational and care setting based on the following:

- a. Behavior, neurological development and physical condition of the child;
- b. Type of interaction expected with others.
- c. What the potential is for exposure
- d. Areas for potential for exposure
- e. How exposure may happen
- f. Who needs to know?
- g. What will happen if there is a risk of exposure?

2.3. The team will consider the risk to others in the workplace, whether or not the individual is healthy enough to continue to attend school, and what precautions should be taken to ensure the safety and health of others.

a. The identity of infected students will remain confidential and restricted to those who need to know or are required to be informed.

2.4. Decisions on attendance at school are dependent on the circumstances of each individual case. Regular evaluation of the appropriateness of attendance will be conducted.

2.5. The Board will be notified immediately when the team considers the health condition of a student to be a danger to the immediate health and welfare of a school, its students or employees of the Board.

a. Upon being notified of the team's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

3. Employees

3.1. The Superintendent will be informed, by district staff as soon as is known, of any employee infected with an infectious blood borne disease.

3.2. Employees with an infectious blood borne disease, who are able to carry out the essential duties of their jobs in a satisfactory manner without posing a health or safety risk to themselves or others, will be entitled to continue their work.

3.3. Decisions regarding potential health or safety hazards will be made on a case-by-case basis in consultation with the employee, the personal physician and district personnel as appropriate.

3.4. The identity of infected employees will remain confidential and restricted to those who need to know or are required to be informed.

3.5. The Board will be notified immediately if the Superintendent considers the health condition of an employee to be a danger to the immediate health and welfare of a school, its students or other employees of the Board.

a. Upon being notified of the Superintendent's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

4. Hygienic Safety Practices

4.1. All employees will follow "Universal Infection Control Precautions" by assuming that blood and other body fluids from all individuals are potentially infectious. These precautions include:

- a. Routinely using gloves when anticipating contact with blood
- b. Immediately washing hands and other skin surfaces after removal of gloves and/or contact with blood

4.2. Schools will be provided with appropriate protective equipment including disposable waterproof gloves (natural rubber latex, neoprene, nitrile, or vinyl), tongs or pliers and proper sharps containers.

4.3. Schools' medical room mattresses will be either vinyl-coated beds or cloth mattress with a protective vinyl (plastic) covering so that they can be cleaned as needed with a bleach solution.

4.4. Blankets can be cleaned as needed by forwarding them, in a clearly labeled plastic bag, to the Assistant Supervisor Operations at the Facilities Office.

5. Universal Precautions

5.1. Universal Precautions to prevent transmission of blood-borne disease will be followed. Universal Precautions is the term for infection control measures endorsed by the Canadian Centre for Occupational Health and Safety for workers who might come into contact with blood and other body fluids. In summary they include:

- a. Wash hands for 30 seconds after contact with blood and other body fluids contaminated with blood.
- b. Wear disposable latex gloves when you encounter blood, body fluids, or when cleaning cuts, scrapes or wounds. Wash your hands as soon as you remove your gloves. Dispose gloves in a plastic bag.
- c. Use disposable absorbent material like paper towels to stop bleeding.
- d. Discard bloodstained material in a sealed plastic bag and deposit in the garbage. Label as containing blood-tainted material.
- e. Cover cuts or scrapes with a bandage until healed.
- f. Immediately protect staff and students from coming in contact with blood-soiled surfaces. The area must be disinfected with a fresh solution of one part bleach and nine-parts water (10% bleach solution).

Mops or brushes used for cleaning should be soaked in a bleach solution for 20 minutes.

(Note: The custodial department will provide each school with the product for dissolving in water to provide the bleach solution.)

6. Identification of Risks of Occupational Exposure

6.1. In accordance with the Occupational Health and Safety Regulations (section 6.35), the district's Health & Safety Coordinator will develop and maintain a list of positions and/or tasks and procedures where there is a potential for occupational exposure to a blood borne pathogen.

6.2. Employees who have, or may have, occupational exposure to the hepatitis B virus, will upon request, receive a hepatitis B vaccination (section 6.39, OH&S Regs).

6.3. Employees who may have been exposed to a blood borne pathogen in an exposure incident will be advised to immediately seek medical attention

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(cf. 5112.2 - Exclusions from Attendance)
(cf. 5141.26 - Tuberculosis Testing)
(cf. 5141.3 - Health Examinations)
(cf. 6158 - Independent Study)
(cf. 6159 - Individualized Education Program)
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(cf. 5125 - Student Records)
(cf. 5022 - Student and Family Privacy Rights)

The Board requires students and staff to routinely observe universal precautions to prevent exposure to bloodborne pathogens and to prevent the spread of all infectious disease.

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)
(cf. 4119.43/4219.43/4319.43 - Universal Precautions)
(cf. 5141.23 - Infectious Disease Prevention)

The Superintendent or designee shall ensure that the district's health education program provides information about the nature of bloodborne pathogens and their transmission.

(cf. 5141.6 - Student Health and Social Services)
(cf. 6142.2 - Sexual Health and HIV/AIDS Prevention Instruction)
(cf. 6142.8 - Comprehensive Health Education)

Blood Borne Pathogens - Safety Practices

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- a. Behavior, neurological development and physical condition of the child;
- b. Type of interaction expected with others.
- c. What the potential is for exposure
- d. Areas for potential for exposure
- e. How exposure may happen
- f. Who needs to know?
- g. What will happen if there is a risk of exposure?

2.3. The team will consider the risk to others in the workplace, whether or not the individual is healthy enough to continue to attend school, and what precautions should be taken to ensure the safety and health of others.

- a. The identity of infected students will remain confidential and restricted to those who need to know or are required to be informed.

2.4. Decisions on attendance at school are dependent on the circumstances of each individual case. Regular evaluation of the appropriateness of attendance will be conducted.

2.5. The Board will be notified immediately when the team considers the health condition of a student to be a danger to the immediate health and welfare of a school, its students or employees of the Board.

- a. Upon being notified of the team's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

3. Employees

3.1. The Superintendent will be informed, by district staff as soon as is known, of any employee infected with an infectious blood borne disease.

3.2. Employees with an infectious blood borne disease, who are able to carry out the essential duties of their jobs in a satisfactory manner without posing a health or safety risk to themselves or others, will be entitled to continue their work.

3.3. Decisions regarding potential health or safety hazards will be made on a case-by-case basis in consultation with the employee, the personal physician and district personnel as appropriate.

3.4. The identity of infected employees will remain confidential and restricted to those who need to know or are required to be informed.

- 3.5. The Board will be notified immediately if the Superintendent considers the health condition of an employee to be a danger to the immediate health and welfare of a school, its students or other employees of the Board.
- a. Upon being notified of the Superintendent's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

4. Hygienic Safety Practices

- 4.1. All employees will follow "Universal Infection Control Precautions" by assuming that blood and other body fluids from all individuals are potentially infectious. These precautions include:
- a. Routinely using gloves when anticipating contact with blood
 - b. Immediately washing hands and other skin surfaces after removal of gloves and/or contact with blood
- 4.2. Schools will be provided with appropriate protective equipment including disposable waterproof gloves (natural rubber latex, neoprene, nitrile, or vinyl), tongs or pliers and proper sharps containers.
- 4.3. Schools' medical room mattresses will be either vinyl-coated beds or cloth mattress with a protective vinyl (plastic) covering so that they can be cleaned as needed with a bleach solution.
- 4.4. Blankets can be cleaned as needed by forwarding them, in a clearly labeled plastic bag, to the Assistant Supervisor Operations at the Facilities Office.

5. Universal Precautions

- 5.1. Universal Precautions to prevent transmission of blood-borne disease will be followed. *Universal Precautions* is the term for infection control measures endorsed by the Canadian Centre for Occupational Health and Safety for workers who might come into contact with blood and other body fluids. In summary they include:
- a. Wash hands for 30 seconds after contact with blood and other body fluids contaminated with blood.
 - b. Wear disposable latex gloves when you encounter blood, body fluids, or when cleaning cuts, scrapes or wounds. Wash your hands as soon as you remove your gloves. Dispose gloves in a plastic bag.
 - c. Use disposable absorbent material like paper towels to stop bleeding.
 - d. Discard bloodstained material in a sealed plastic bag and deposit in the garbage. Label as containing blood-tainted material.
 - e. Cover cuts or scrapes with a bandage until healed.
 - f. Immediately protect staff and students from coming in contact with blood-soiled surfaces. The area must be disinfected with a fresh solution of one part bleach and nine-parts water (10% bleach solution).

Mops or brushes used for cleaning should be soaked in a bleach solution for 20 minutes.

(Note: The custodial department will provide each school with the product for dissolving in water to provide the bleach solution.)

6. Identification of Risks of Occupational Exposure

- 6.1. In accordance with the Occupational Health and Safety Regulations (section 6.35), the district's Health & Safety Coordinator will develop and maintain a list of positions and/or tasks and procedures where there is a potential for occupational exposure to a blood borne pathogen.
- 6.2. Employees who have, or may have, occupational exposure to the hepatitis B virus, will upon request, receive a hepatitis B vaccination (section 6.39, OH&S Regs).
- 6.3. Employees who may have been exposed to a blood borne pathogen in an exposure incident will be advised to immediately seek medical attention

Cope Staff Safety Committee Meeting 9/23/24






- A. Reviewed Comprehensive Safety Plan and Staff Suggestions
 - a. Committee Approved Safety Plan as Amended.
- B. Bob Windver volunteered to attend Full Safety Committee meeting scheduled for 10/2/24
- C. Discussion of Goals outside of
 - 1. [Big review of safety response to disasters](#)
 - 2. Walkie Talkie for teachers all or by team/wing
 - 3. [Safety plan summary](#)- should be in emergency bags
 - 4. Supplies- also need storage container- replace from last year
 - 5. Training videos for students- Use Cope teachers and students
 - 6. Camera's working facing PE area off of F and C wings

Comprehensive School Safety Plan

**2024-2025
School Year**

School: Moore Middle School
CDS Code: 36-67843-6061881
District: Redlands Unified School District
Address: 1550 East Highland Avenue
Redlands, CA 92374
Date of Adoption: November 14, 2023
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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 Moore Middle School.

Safety Plan Vision

Moore Middle School will provide a safe, orderly, and secure environment conducive to learning. Moore Middle School will create a school in which pupils will attend regularly and be safe from both physical and social-psychological harm. Moore Middle School will work collaboratively with the district office and school board to identify, establish and use strategies and programs to comply with school safety laws. Moore Middle School will develop a plan to work cooperatively and collaboratively with parents, pupils, teachers, administrators, counselors and community agencies, including law enforcement, to provide a safe and orderly school and neighborhood. Moore Middle School will develop an academic program that will focus on high expectations of pupil performance and behavior in all aspects of the school experience. Moore Middle School will work collaboratively with other elementary, middle schools and high schools to assist in a smooth transition from one school level to another. Moore Middle School will solicit the participation, views, and advice of teachers, parents, school administrators, and community members and use this information to promote the safety of our pupils, staff and community.

Components of the Comprehensive School Safety Plan (EC 32281)

Moore Middle School Safety Committee

Assessment of School Safety

During the 2023-2024 school year, Moore Middle School 209 suspensions. This number was among the highest in the district amongst the eight secondary schools. Moore Middle School had an average attendance rate for the 2023-2024 school year of 92.95%. This will continue to an area that we strive to improve. For the 2024-2025 school year, Moore will work hard to lower our suspension rate and increase our attendance rate, all while maintaining a safe and secure campus that reflects the three pillars of our school culture. Respect, Kindness, and Effort.

Strategies and Programs to Provide and Maintain a High Level of Safety (EC 32281(a)1, items A-J)

Introduction - School Profile

Moore Middle School is one of twenty-four schools in the Redlands Unified School District with traditions dating back to 1966. Moore Middle School has a diverse pupil student body and is served by a dedicated staff. Both staff and parents comment on the positive changes that are ongoing in our school.

Moore Middle School faces challenges in maintaining a safe school. This section of the Comprehensive School Safety Plan will describe programs in place at our school as well as strategies and programs of our school site council for continued improvement in providing a safe, orderly, school environment conducive to learning.

School Crime Status and Reporting

Personal Characteristics of Pupil & Staff

(Additional Health and Welfare Data available from ICOE aggregated DAT surveys)

Moore Middle School has an enrollment of 986 pupils in 2024-2025. Pupils from this school come from families with family mobility. Approximately 57% of the pupils are in families receiving Aid to Families with Dependent Children that are eligible for free/reduce lunches. The ethnic makeup of the pupil population is 53.03 % Hispanic, 5.70 % Black, 30.25 % Caucasian and 4.30 % Asian. Our pupils have a variety of life experiences. Some pupils have recently arrived from foreign countries while others have never left their neighborhood.

Curriculum and Educational Activities

The course of study includes the basic core curriculum, physical education and enrichment classes such as Digital Story Telling, Intro to Stem, Advanced STEM, Yearbook, Performing Arts, WEB, Orchestra, Band, and Choir..

Pupils have the opportunity to participate in noon and after-school activities. These include RSCL Middle School Sports, Lunch time Intramurals, afterschool tutoring, and the ASES Program..

Staff provides opportunities and additional activities open to pupils in the areas of Clubs and ASB Activities.

(A) Child Abuse Reporting Procedures (EC 35294.2 [a] [2]; PC 11166)

Policy 5141.4: Child Abuse Prevention and Reporting

The Governing Board recognizes that the district has a responsibility to facilitate the prompt reporting of incidents of child abuse and neglect. The Superintendent or designee shall ensure that parents/guardians have access to procedures whereby they can report suspected child abuse at a school site to appropriate child protective agencies

The Superintendent or designee shall develop and implement regulations for use by employees in identifying and reporting child abuse

District employees shall report known or suspected incidents of child abuse in accordance with district regulations and state law. Employees shall cooperate with the child protective agencies responsible for reporting, investigating and prosecuting cases of child abuse.

(cf. 4112.9 - Signed Statements/Child Abuse Reporting Statements)

The Superintendent or designee shall provide training in child abuse identification and reporting for all certificated and classified personnel. (Penal Code 11165.7)

All employees trained in child abuse identification and reporting shall be given, as a part of that training, written notice of the child abuse reporting requirements and the employees' confidentiality rights. (Penal Code 11165.7)

In order to reduce or eliminate unfounded child abuse accusations directed at school employees, child abuse in service training shall include guidance in disciplining students and maintaining ethical relationships with them.

(cf. 3514 - Safety)

(cf. 5142 - Safety)

Duty to Report

Certificated employees and classified employees trained in child abuse identification and reporting shall report known or suspected child abuse to a child protective agency by telephone immediately or as soon as practically possible and in writing within 36 hours. The reporting duties are individual and cannot be delegated to another individual except under circumstances set forth in Penal Code 11166.

Definitions

Child Abuse includes the following:

1. A physical injury inflicted by other than accidental means on a child by another person.
2. Willful cruelty or unjustifiable punishment of a child, or willfully inflicting unjustifiable physical pain or mental suffering, or failure to safeguard a child from these injuries when the child is under a person's care or custody
3. Sexual abuse of a child
4. Neglect of a child or abuse in out-of-home care
5. Unlawful corporal punishment or injury resulting in a traumatic condition

Mandated Reporters are those people defined by law as child care custodians, health practitioners, child visitation monitors and employees of a child protective agency. Mandated reporters include virtually all school employees. The following school personnel are required to report:

Teachers, administrators, supervisors of child welfare and attendance, certificated student personnel employees, employees of care institutions, Headstart teachers, school psychologists, licensed nurses, counselors, presenters of child abuse prevention programs and those instructional aides or other classified employees trained in child abuse reporting.

Child Protective Agencies are those law enforcement and child protective services responsible for investigating child abuse reports, including the local police or sheriff department, county welfare or juvenile probation department and child protective services.

Reasonable Suspicion means that it is objectively reasonable for a person to entertain such a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his/her training and experience, to suspect child abuse. (Penal Code 11166)

Reporting Procedures

To report known or suspects child abuse, any employee (as defined above) shall report by telephone to the local child protective agency immediately. (Child Protective Services 921 County Center, 3 Court, Modesto, CA phone # 525- 6641)

The following information shall be given:

1. The name of the person making the report
2. The name of the child
3. The present location of the child
4. The nature and extent of any injury

Any other information requested by the child protective agency, including the information that led the mandated reporter to suspect child abuse.

When the verbal 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.

Within 36 hours of making the telephone report, the mandated reporter shall complete and mail to the local child protective agency a written report which includes a completed Department of Justice form (DOJ SS 8572).

Mandated reports may obtain copies of the above form either from the district or local child protective agency.

Instructions are included on the form, and reporters may ask the site administrator for help in completing and mailing it; however, the mandated reporter is personally responsible for ensuring that the written report is correctly filed.

Employees reporting child abuse to a child protective agency are encouraged, but not required, to notify the site administrator or designee as soon as possible after the initial verbal report by telephone. When so notified, the site administrator shall inform the Superintendent or designee.

Administrators so notified shall provide the mandated reporter any assistance necessary to ensure that reporting procedures are carried out in accordance with law and district regulations. At the mandated reporter's request, the principal may assist in completing and filing the form.

If the mandated reporter does not disclose his/her identity to a district administrator, he/she shall at least provide or mail a copy of the written report to the site administrator and the district without his/her signature or name.

Legal Responsibility and Liability

Mandated reporters have absolute immunity. School employees required to report are not civilly or criminally liable for filing a required or authorized report of known or suspected child abuse.

A mandated reporter who fails to report an instance of child abuse, which he/she knows to exist or reasonably should know to exist, is guilty of a misdemeanor and is punishable by confinement in jail for a term not to exceed six months or by a fine of not more than \$1,000 or both. The mandated reporter may also be held civilly liable for damages for any injury to the child after a failure to report

When two or more persons who are required to report have joint knowledge of suspected instance of child abuse, and when they so agree, the telephone report may be made by either of them and a single report made and signed by that person.

However, if any person who knows or should know that the person designated failed to make the report, that person then has a duty to make the report.

The duty to report child abuse is an individual duty and no supervisor or administrator may impede or inhibit such reporting duties. Furthermore, no person making such a report shall be subject to any sanction.

Victim Interview

Upon request, a child protective agency representative may upon request interview a suspected victim of child abuse during school hours, on school premises, concerning a report of suspected child abuse that occurred within the child's home. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. (Penal Code 11174.3)

A staff member or volunteer aide selected by a child may decline to be present at the interview. If the selected person accepts, the principal or designee shall inform him/her, before the interview takes place, of the following legal requirements:

1. The purpose of the selected person's presence at the interview is to lend support to the child and enable him/her to be as comfortable as possible.
2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the child.
4. The selected person is subject to the confidentiality requirements of the Child Abuse and Reporting Act, a violation of which is punishable as specified by Penal Code 11167.5.
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 or Child Protective Services Agent

When a child is released to a peace officer or child protective agency and taken into custody as a victim of suspected child abuse, the Superintendent and/or principal shall not notify the parent/guardian as required in other instances of removal of a child from school, but rather shall provide the protective agency with the address and telephone number of the child's parent/guardian. It is the responsibility of the peace officer or agent to notify the parent/guardian of the situation. (Education Code 48906)

Peace officer and child protective services agents will be asked to sign an appropriate release or acceptance of responsibility form.

(cf. 5145.11 - Questioning and Apprehension)

When School Employees are Accused of Child Abuse

Regardless of who child abusers may be, the major responsibilities of mandated reports are to 1) identify incidents of suspected child abuse, and 2) comply with laws requiring the reporting of suspected abuse to proper authorities. Determining whether or not the suspected abuse actually occurred is not the responsibility of the school employee. Such determination and follow-up investigation will be made by a child protective agency.

Pending outcome of an investigation by a child protective agency and before formal charges are filed, the employee may be subject to reassignment or a paid leave of absence.

Upon filing formal charges or upon conviction, the district may take disciplinary action in accordance with law, district policies, regulations and/or collective bargaining agreements. The Superintendent or designee shall seek legal counsel in connection with either the suspension or dismissal of the employee.

(cf. 4117.4 - Dismissal)
(cf. 4118 - Suspension/Disciplinary Action (Certificated))
(cf. 4218 - Suspension/Disciplinary Action (Classified))

Suspected Child Abuse Reporting Procedures

I. Initiating the Report

A. The report is initiated by a telephone report to the appropriate agency.

B. If the suspected child abuse has taken place within the family, call the Enter appropriate Agency Hotline at phone number, 1 (800) 827-8724

C. If the suspected child abuse has taken place outside the family, call the local police department at:

Redlands Police Department
Phone: (909) 798-7681 ext.1

D. Content of call.

- 1) Name, address and age of child involved.
- 2) Clear description of suspected abuse.

II. Written Report

A. The telephone call is to be followed by completion of the Suspected Child Abuse Report (form 11166.P.C.). These forms are available in the Principal's office at the high school or you may access the form on line at:
http://ag.ca.gov/childabuse/pdf/ss_8572.pdf for a form or immediately call (909) 384-9233 to file a report.

B. The written report is to be addressed to the person to whom the telephone report was made.

C. The written report must follow the phone call within 36 hours.

1. Suspected child abuse within the family,
Agency: Children and Family Services
Address: 150 S. Lena Road, San Bernardino, California 92415

2. Suspected child abuse outside the family should be mailed to the agency to which the report was called -

Adopted: 10/2005
Highland Sheriff Police Department
Phone: (909)425-9793

The reporting party should keep the yellow copy of the Suspected Child Abuse Report form (SS8572) or verification of completion of the reporting obligation.

Caution:

1. The reporting responsibility has not been discharged until both the telephone call and written reports are complete.
2. School personnel are not to engage in any investigation of suspected cases. The investigation will be done by the child protective services office.
3. The reporting responsibility is an individual one which is NOT discharged by report to supervisors or administrators.

(B) Disaster Procedures (EC 35295-35297; GC 8607 and 3100)

Disaster Plan (See Appendix C-F)

Each classroom, office, library and room on campus has a posting of the emergency procedures near the exit door. Emergency procedures are also posted in each classroom notebook which is reviewed at the beginning of the school year for updates. Fire Drills are practiced each month of the school year. Earthquake drills are practiced four times a year and Lock Down drills are practiced yearly.

Public Agency Use of School Buildings for Emergency Shelters

(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines

Policy 5144.1: Suspension And Expulsion/Due Process

Suspension and Expulsion

The Governing Board recognizes that maintaining an environment which promotes learning and protects the health, safety, and welfare of all students may require the suspension or expulsion of a student from regular classroom instruction. District policies and school site rules shall clearly identify district behavior standards

(cf. 5144 - Discipline)

Except in cases where suspension for a first time offense is warranted in accordance with law, suspension shall be imposed only when other means of correction fail to bring about proper conduct. (Education Code 48900.5)

Expulsion is an action taken by the Board for severe or prolonged breaches of discipline by a student. Except for single acts of a grave nature, expulsion is usually used only when there is a history of misconduct, when other forms of discipline, including suspension, have failed to bring about proper conduct, or when the student's presence causes a continuing danger to other students. (Education Code 48915)

The grounds for suspension and expulsion and the procedures for considering, recommending and/or implementing suspension and expulsion shall be specified in Administrative Regulation.

Each principal shall annually inform all students and parents/guardians of the school's discipline rules and procedures and of the availability of all district policies and regulations dealing with student discipline, suspension and expulsion. (Education Code 35291, 35291.5)

(cf. 5145.6 - Parental Notifications)

Suspended or expelled students shall be excluded from all school-related extracurricular activities during the suspension or expulsion.

cf. 6145 - Extracurricular and Cocurricular Activities)

Zero Tolerance

The Board supports a zero tolerance approach to serious offenses in accordance with state and federal law. This approach makes the removal of potentially dangerous students from the classroom a top priority and ensures the standardized treatment of all students. Staff shall immediately report to the Superintendent/ designee any incidence of offenses specified in law, Board policy, and administrative regulation as cause for suspension or expulsion.

Student Due Process

The Board shall provide for the fair treatment of students facing suspension and expulsion by affording them their due process rights under the law. The administration and staff shall comply with procedures for notices and appeals as specified in regulation. Procedures governing student due process shall conform in all aspects to provisions in law. (Education Codes 48911, 48915 and 48915.5)

Whenever a student is suspended, school officials may (but are not required to) meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

cf. 5119 - Students Expelled from Other Districts

(cf. 5144.2 - Suspension and Expulsion/Due Process - Individuals with Exceptional Needs)

Rights of Complaining Witness

An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental or emotional needs of a student who is the complaining witness. (Education Code 48918.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Educational Code 48918.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies
3. Have a closed hearing during the time he/she testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48918.5)

On-Campus Suspension Program

The Board recognizes that students who are suspended from school frequently have no supervision or guidance during the school hours when they are off campus. The Board believes that in many cases, instead of sending the student off campus, it would be better to address the student's misconduct by keeping the student at school and providing him/her with supervision that is separated from the regular classroom.

The Superintendent or designee shall examine alternatives to off-campus suspension and may establish a suspension program which involves progressive discipline during the school day on campus; using conferences between staff, parents/guardians and students; detention; student study teams or other assessment-related teams; and/or referral to school support services staff.

Required Parental Attendance

The Board believes that parental involvement plays an important role in the resolution of classroom behavior problems. The Board expects that teachers will communicate with parents/guardians when behavior problems arise

Whenever a student is suspended from a class because he/she committed an obscene act, engaged in habitual profanity or vulgarity, disrupted school activities or otherwise willfully defied valid staff authority, the teacher of the class from which the student was suspended may require the student's parent/guardian to attend a portion of a school day in that class. After completing the classroom visit and before leaving school premises, the parent/guardian also shall meet with the principal or designee. (Education Code 48900.1)

The Board encourages teachers, before requiring parental attendance, to make reasonable efforts to have the parent/guardian visit the class voluntarily. The teacher also may consider informing the parent/guardian about available resources which may provide help in the development of parenting skills. Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the student and the parent/guardian and to improve classroom behavior.

Parental attendance may be required on the day the student returns to class or within one week thereafter. The principal or designee shall contact any parents/guardians who do not respond to the request to attend school. The Board recognizes that parental compliance with this policy may be delayed, modified or prevented by serious illness/injury/disability, absence from town, or inability to get certain release time from work.

The teacher shall apply this policy uniformly to all students within the classroom. This policy shall apply only to a parent/guardian who actually lives with the student. (Education Code 48900.1)

District regulations and school-site rules for student discipline shall include procedures for implementing parental attendance requirements.

Parents/guardians shall be notified of this policy before it is implemented and at the beginning of each subsequent school year. (Education Code 48900.1, 35291, 48980)

Decision Not to Enforce Expulsion Order

In cases where expulsion is mandatory pursuant to Education Code 48915(c), the enforcement of an expulsion order shall not be suspended by the Board. In all other cases of expulsion, the order for expulsion may be suspended by the Board, on a case-by-case basis, pursuant to the requirements of law.

Definitions

Suspension from school means removal of a student from on going 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, nor referral to a certificated employee designated by the principal to advise students, nor removal from the class without reassignment to another class or program for the remainder of the period, without sending the student to the principal or designee.

2. Removal from a particular class shall not occur more than once every five school days. (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)

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

School property, for the purposes described in Education Code 48900, includes, but is not limited to, electronic files and databases. (Education Code 48900(s))

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, suspension and expulsion. Transfer students and their parents/guardians shall be notified at the time of enrollment. (Education Code 35291.5, 48900.1, 48980)

(cf. 5144 -Discipline)

(cf. 5145.6 Parental Notifications)

Notification shall include information about the ongoing availability of individual school rules and all district policies and regulations pertaining to student discipline. (Education Code 35291)

(cf. 5145.6 -Parental Notifications)

Grounds for Suspension and Expulsion

Students may be suspended or recommended for expulsion when the Superintendent, principal, or principal's designee at the school in which the student is enrolled determines that the student has done any of the acts listed below:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense. (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However, a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code Board Policy Manual Redlands Unified School District 48900(s))

2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48900(b))

(cf. 5 131 - Conduct)

(cf. 5131. 7 - Weapons and Dangerous Instruments)

3. Unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of, any controlled substance as defined in the Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind. (Education Code 48900(c))

(cf. 5131.6 -Alcohol and Other Drugs)

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance or material and represented same as controlled substance, alcohol beverage or intoxicant. (Education Code 48900(d))

5. Committed or attempted to commit robbery or extortion. (Education Code 48900(e))

6. Caused or attempted to cause damage to school property or private property. (Education Code 48900(f))

7. Stole or attempted to steal school property or private property. (Education Code 48900(g))

8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products with prior approval of the principal or designee. (Education Code 48900(h))

9. Committed an obscene act or engaged in habitual profanity or vulgarity. (Education Code 48900(i))

10. Unlawfully possessed, or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code. (Education Code 48900(j))

11. Disrupted school activities or otherwise willfully defied 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))

12. Knowingly received stolen school property or private property. (Education Code 48900(1))
13. Possessed an imitation firearm, i.e., 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))
14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code 243.4. (Education Code 48900(n))
15. 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))
16. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug soma. (Education Code 48900(p))
17. Engaged in, or attempted to engage in, hazing as defined in Education Code 32050. (Education Code 48900(q))
18. Made terrorist threats against school officials and/or school property. (Education Code 48900.7)

A student in grades 4 through 12 is also subject to suspension or recommendation for expulsion when it is determined that he/she:

19. Committed sexual harassment as defined in Education Code 212.5. (Education Code 48900.2)
20. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 33032.5. (Education Code 48900.3)
21. 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 Glasswork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment (Education Code 48900.4)

(cf. 5145.3 -Nondiscrimination/Harassment)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent/principal or within any other school district, including but not limited to the following circumstances:

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.

The Superintendent/principal may use his/her discretion to provide alternatives to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program. (Education Code 48900(r))

cf. 5138 -Conflict Resolution/Peer Mediation)

Alternatives to suspension or expulsion will be used against students who are truant, tardy, or otherwise absent from assigned school activities.

(cf. 5113 -Absences and Excuses)

(cf. 5113.1 - Truancy)

Suspension from Class by a Teacher/Parental Attendance

A teacher may suspend any student from the teacher's class for any of the acts listed under "Grounds for Suspension and Expulsion" above for the day of the suspension and the day following. (Education Code 48910)

Suspension from class means the removal of a student from class by a teacher for the day of the suspension and the next day. A teacher may suspend a student from class and may also refer a student for consideration of suspension from school for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

When suspending a student from his/her class, the teacher shall immediately report this action to the principal and send the student to the principal for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been suspended.

As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the suspension. A counselor or psychologist should attend the conference if it is practicable, and a school administrator may attend if either the parent/guardian or teacher so request.

A suspended student shall not be returned to class during the period of suspension without the approval of the teacher of the class and the principal. (Education Code 48910)

A student suspended from class shall not be placed in another regular class during the period of suspension. However, if a student is assigned to more than one class per day, he/she may be placed in any 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 suspended student to complete any assignments and tests missed during the suspension. (Education Code 48913)

When a teacher requires a parent/guardian to attend school in accordance with Board Policy, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is required pursuant to law. (Education Code 48900.1)

1. This notice shall also tell the parent/guardian when his/her presence is expected and by what means he/she may arrange any necessary change.
2. The notice shall describe the protections afforded to the parent/guardian as an employee by Labor Code 230.7.
3. The notice shall state that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student.

The teacher shall remind the parent/guardian to meet with the principal or designee after completing the classroom visit and before leaving school premises.

Suspension By Superintendent, Principal Or Principal's Designee

A Superintendent, principal, or principal's designee may suspend a student from a school for any of the acts listed under "Grounds for Suspension and Expulsion" above for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

The Superintendent or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife, as defined in Education Code 48915(g), at another person.

3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.

4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item 414 under "Grounds for Suspension and Expulsion" above.

5. Possession of an explosive as defined in 18 USC 921.

Suspension may be imposed upon a first offense if the Superintendent, principal or designee determines the student violated items (i) - (v) listed in "Grounds For Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903 and 48912)

Suspension Procedures

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the principal or designee or the Superintendent or designee between 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 and the evidence against him/her and shall be given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911(b))

This conference may be omitted if the principal, designee or the Superintendent or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or school personnel. If the pre-suspension conference is not held, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference will be held as soon as the student is physically able to return to school. (Education Code 48911(c))

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior

A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee, who in turn will inform the Board.

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 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 also state the date and time when the student may return to school.

Should school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may also add that state law requires the parent/guardian to respond to such request without delay.

4. Parent/Guardian Conference: Whenever a student is suspended, school officials may meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such conference. The student may not be denied readmission solely because the parent/guardian failed to attend. (Education Code 48911)

5. Extension of Suspension: If the expulsion of a suspended student is being considered by the Board, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision. (Education Code 48911(g))

Any extension of the original period of suspension shall be 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. Extension of the suspension may be made only if 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(g))

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal or Principal's 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 if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. 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 may hold closed sessions if a public hearing would lead to disclosure of information which would violate a student's right to privacy under Education Code 49073-49079.

(cf. 9321 -Closed Session Purposes and Agendas)

The Board shall provide the student with written notice of the closed session by registered or certified mail. Upon receiving this notice the student 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 shall be in closed session. (Education Codes 48912)

Authority to Expel

A student may be expelled only by the Board. The Board shall expel, as required by law, any student found to have committed certain offenses listed below under "Mandatory Recommendation and Mandatory Expulsion."

The Board may also order a student expelled for any of the acts listed above under "Grounds for Suspension and Expulsion" upon recommendation by the principal, Superintendent, hearing officer or administrative panel, based on finding either or both of the following: (Education Code 48915(b) and (e))

1. That other means of correction are not feasible
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

Mandatory Recommendation For Expulsion

The principal, Superintendent or designee shall recommend a student's expulsion for any of the following acts, unless the principal or Superintendent or designee finds, and reports in writing to the Board, that expulsion is inappropriate due to particular circumstances which shall be set out in the report of the incident:

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife as defined in Education Code 48915(g), explosive 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 the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee.

Mandatory Recommendation And Mandatory Expulsion

The principal, Superintendent or designee shall recommend that the Board expel any student found at school or at a school activity off school grounds to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48915(c).1)
2. Brandishing a knife as defined in Education Code 48915(g) at another person. (Education Code 48915(c).2)
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058. (Education Code 48915(c).3)
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above. (Education Code 48915(c).4)
5. Possessing an explosive as defined in 18 USC 921.

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

Student's Right to Expulsion Hearing

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred. (Education Code 48918(a))

The student is entitled to 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 district's discretion. (Education Code 48918(a))

If the district finds it impracticable 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))

Once the hearing starts, all matters shall be pursued with reasonable diligence and concluded without unnecessary delay. (Education Code 48918(a))

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 48915.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Education Code 48915.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing.

2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies.
3. Have a closed hearing during the time he/she testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48915.5)

Written Notice of the Expulsion Hearing

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least ten 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. A parent/guardian of a student expelled for acts described in paragraphs through 4 of Education Code 48915(a), seeks enrollment in another district they must inform the new district of the students status with the expelling district, pursuant to Education Code 48915.1.

(cf. 5119 -Students Expelled from Other Districts)

5. The opportunity for the student or the student's parent/guardian to appear in person or to employ and be represented by counsel.
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.

Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and Education Code 35145, the Board shall conduct the hearing or arrange for an alternative 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 request is made, the meeting shall be public

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to deliberate and determine if the student should be expelled. If the Board admits any other person to the closed session, the parent/guardian, the student, counsel of the student and counsel of the parent/guardian shall also be allowed to attend the closed session. (Education Code 48918(c))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to have his/her testimony heard in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including but not limited to videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

2. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, so long as a reasonably accurate written and complete transcription of the proceedings can be made. (Education Code 48918(g))

3. Presentation of Evidence: While technical rules of evidence do not apply to such hearings, 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 must be supported by substantial evidence that the student committed any of the above acts listed under "Grounds for Suspension and Expulsion" above. Findings of fact shall be based solely on the evidence at the hearing.

While no evidence 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) and

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 Witness: The following procedures shall be observed when hearings involve allegations of sexual assault or sexual battery by a student: (Education Code 48918)

- a. Any complaining witness shall be given five days' notice before being called to testify.
- b. Any complaining witness shall be entitled to have up to two adult support persons, including but not limited to a parent/guardian or legal counsel, present during his/her testimony.
- c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- e. If one or both support persons are also witnesses, the hearing shall be conducted according to Penal Code 868.5.
- f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard.

Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.

g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.

(1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.

(2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.

(3) The person conducting the hearing may:

- (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness.
- (b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
- (c) Permit one of the support persons to accompany the complaining witness to the witness stand.

6. Decision Within Ten Days: The Board's decision on whether to expel a student shall be made within ten school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

7. Decision Within 40 Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative 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. Alternatively, the Board may 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(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified in "Conduct of Expulsion Hearing" above.

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 student shall be immediately reinstated. (See "Reinstatement" below.) The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers and with the student's parent/guardian. (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))

The hearing officer or administrative panel may recommend that the Board suspend the expulsion for a period of one year. (See "Suspension of Expulsion" below.)

The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Stipulated Expulsions

It is the policy of the Redlands Unified School District that, where approved by the Superintendent or designee, parents/guardians may agree to the expulsion of their pupil by stipulation without necessity of a hearing. This process will expedite the pupil's school placement and may expedite the rehabilitation process.

A stipulated expulsion must be purely voluntary. No district administrator or staff member may coerce a pupil, parent or guardian into entering into such a stipulation. Parents/guardians will be given three calendar days to decide on a stipulated expulsion agreement.

If the parent/guardian requests a stipulated expulsion, the Superintendent or designee will promulgate the stipulated agreement. If at any time the parent/guardian decides not to pursue a stipulated agreement, the expulsion proceedings and timelines, extended by the length of the period for consideration of the stipulation, will be reinstated. The stipulated agreement will be presented to the Board for final consideration.

The stipulated agreement will include the terms and conditions of the expulsion order, including alternative placement and a rehabilitation plan to be completed before the student can be re-admitted to the district.

Final Action by the Board

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel, the final action to expel must be taken by the Board at a public meeting. (Education Code 48918(f)) The Board shall maintain a record of each expulsion, including its cause. Expulsion records shall be non-privileged, disclosable public records.

(cf. 9321.1 - Closed Session Actions and Reports)

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

Upon ordering the 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 an act listed under "Mandatory Recommendation and Mandatory Expulsion" above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. (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 of the student at the time of review for readmission.
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service and other rehabilitative programs.
3. Such other recommendations as the Board approves.

With parental 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)

Upon expulsion, a copy of readmission procedures will be made available to the student and his/her parent/guardian.

Written Notice to Expel

The Superintendent or designee shall send written notice of the decision to expel to the student or parent/guardian. The notice shall include the following:

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed in Education Code 48900(a)-(o), Education Code 48900.2-48900.4 and Education Code 48915(c). (Education Code 48900.8)
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian. (Education Code 48916)
3. Notice of the right to appeal such expulsion to the County Board of Education. (Education Code 48918)
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion. (Education Code 48918)
5. The notice also shall inform the student or parent/guardian of his/her 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)

Suspension of Expulsion

The Board, upon voting to expel a student, may suspend the enforcement of the expulsion order for not more than one calendar year. When deciding whether to suspend an expulsion, the Board shall take into account the following criteria:

1. The student's previous behavior.
2. The seriousness of the misconduct.
3. The student's attitude toward the misconduct and his/her willingness to follow a rehabilitation program.

The suspension of the enforcement of an expulsion shall be governed by the following: (Education Code 48917)

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.
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status.
3. The suspension of expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion" above or violates any of the district's rules and regulations governing student conduct.
4. When suspension of expulsion order is revoked, a student may be expelled under the terms of the original expulsion order
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expungement of any or all records of the expulsion proceedings.
6. Suspension 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 of Education.
7. 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 also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education. (Education Code 48918(i))

Right to Appeal

The student or parent/guardian is entitled to file an appeal of the Board's decision to the County Board of Education.

The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion action is suspended and the student is placed on probation. (Education Code 48919)

Post-Expulsion Placements

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 such a site.
3. Not housed at the school site attended by the student at the time of suspension.

(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for acts described in items #6 through # 13 and # 17 through # 19 under "Grounds for Suspension and Expulsion" above may be instead referred to a program of study that is provided at another comprehensive middle, junior, or senior high school, or at an elementary school.

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)

Reinstatement

When the Board accepts a recommendation against expulsion or makes its own decision after the hearing not to expel, the decision is final and the student shall be reinstated immediately. The Superintendent or designee shall place the student in any classroom program, other instructional program, rehabilitation program, or any combination of such programs following consultation with district personnel, including the teacher involved, and with the student's parent/guardian. (Education Code 48918(e))

Readmission

An expulsion order shall remain in effect until the Board may order the readmission of the student.

Readmission procedures shall be as follows:

1. A written request for review of expulsion action and request for readmission shall be submitted by the parent/guardian to the Superintendent or designee.
2. The Superintendent or designee will hold a conference with the parent/guardian and the student.
3. At the conference the conditions for readmission will be reviewed. The Superintendent or designee shall verify that the rehabilitation plan has been met.
4. School regulations will be reviewed and the student and parent/guardian will be asked to indicate in writing their willingness to comply with these regulations.
5. The Superintendent or designee will transmit the request for readmission to the Board, along with his/her recommendation. The Board shall consider the request in closed session if the information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it will be honored.
6. The Superintendent or designee will notify the student or parent/guardian, by registered mail, of the district's decision regarding readmission.
7. 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)
8. 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. (Education Code 48916)
9. 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)

Maintenance of Records

The Board will maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls, within five days of a written request by the admitting school. (Education Code 48900.8, 48918(k))

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district. (Education Code 48915.1)

cf. 5119 - Students Expelled from Other Districts)

(cf. 5125 - Student Records)

Notifications and Reports

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering or sale of controlled substances, alcohol, or intoxicants of any kind.

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 also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

Outcome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion.
2. The specific grounds for each recommended expulsion.
3. Whether the student was subsequently expelled.
4. Whether the expulsion order was suspended.
5. The type of referral made after the expulsion.
6. The disposition of the student after the end of the expulsion period.

Suspension and Expulsion/Due Process

Redlands Unified
Administrative Regulation
AR 51441
Adopted June 27, 1995
Students

Definitions

Suspension from school 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. Removal from a particular class shall not occur more than once every five school days.

Expulsion means removal of a student from the immediate supervision and control, or the general supervision, of school personnel. (Education Code 48925)

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian or legal counsel. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

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, suspension and expulsion. Transfer students and their parents/guardians shall be notified at the time of enrollment. (Education Code 35291.5, 48900.1, 48980)
(cf. 5144 - Discipline)

Notification shall include information about the ongoing availability of individual school rules and all district policies and regulations pertaining to student discipline. (Education Code 35291)
(cf. 5145.6 - Parental Notifications)

Grounds for Suspension and Expulsion

A student may be subject to suspension or expulsion when it is determined that he/she:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense. (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aide or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code 48900(s))

2. Possessed, sold, or otherwise furnished any firearm. Knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48900(b))
(cf. 5131 - Conduct)
(cf. 5131.7 - Weapons and Dangerous Instruments)

3. Unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of, any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind. (Education Code 48900(c))
(cf. 5131.6 - Alcohol and Other Drugs)

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid, substance or material and represented same as controlled substance, alcohol beverage or intoxicant. (Education Code 48900(d))

5. Committed or attempted to commit robbery or extortion. (Education Code 48900(e))

6. Caused or attempted to cause damage to school property or private property. (Education Code 48900(f))

7. Stole or attempted to steal school property or private property. (Education Code 48900(g))

8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products (Education Code 48900(h))

9. Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))

10. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5. (Education Code 48900(j))

11. Disrupted school activities or otherwise willfully defied 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))

12. Knowingly received stolen school property or private property. (Education Code 48900(l))

13. Possessed an imitation firearm, i.e., 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))

14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code 243.4. (Education Code 48900(n))

15. 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))

16. Made terrorist threats against school officials and/or school property. (Education Code 48900.7)

Pursuant to Education Code 48900.7, the making of a terrorist threat includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person or property damage in excess of \$1,000.00, 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.

A student in grades 4 through 12 is also subject to suspension or recommendation for expulsion when it is determined that he/she:

17. Committed sexual harassment as defined in Education Code 212.5. (Education Code 48900.2)

Pursuant to Education Code 48900.2 the conduct constitutes harassment when considered from the perspective of a reasonable person of the same gender as the victim to be 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.

(cf. 5145.7 - Sexual Harassment)

18. 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)

(cf. 5145.9 - Hate-Motivated Behavior)

Education Code 233 defines "hate violence" as any act punishable under Penal Code 422.6, 442.7 or 422.75. Such acts include injuring or intimidating another person, interfering with the exercise of a person's civil rights, or damaging a person's property because of the person's race, color, religion, ancestry, national origin, disability, gender or sexual orientation.

19. Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading student rights by creating an intimidating or hostile educational environment. (Education Code 48900.4)

(cf. 5145.3 - Nondiscrimination/Harassment)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent or principal or within any other school district, including but not limited to the following circumstances: (Education Code 48900)

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.

The Superintendent or principal may use his/her discretion to provide alternative to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program. (Education Code 48900(r))

Alternatives to suspension or expulsion will be used with students who are truant, tardy, or otherwise absent from assigned school activities.

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Truancy)

Removal from Class by a Teacher/Parental Attendance

A teacher may suspend any student from his/her class for the remainder of the day and the following day for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

A teacher also may refer a student to the principal or designee for consideration of suspension from school. (Education Code 48910)

When removing a student from his/her class, the teacher shall immediately report this action to the principal and send the student to the principal for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been removed.

As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the removal. A counselor or psychologist should attend the conference if it is practicable, and a school administrator may attend if either the parent/guardian or teacher so requests.

A student removed from class shall not be returned to class during the period of removal without the approval of the teacher of the class and the principal. (Education Code 48910)

A student removed from class shall not be placed in another regular class during the period of removal. However, if a student is assigned to more than one class per day, he/she may be placed in any other regular classes except those held at the same time as the class from which the student was removed. (Education Code 48910)

The teacher of any class from which a student is removed may require the student to complete any assignments and tests missed during the removal. (Education Code 48913)

Pursuant to Board policy, a teacher may provide that the parent/guardian of a student whom the teacher has removed attend a portion of a school day in his/her child's classroom. When a teacher makes this request, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is requested pursuant to law. (Education Code 48900.1)

This notice shall also:

1. Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternate date.
2. Describe the legal protections afforded to the parent/guardian as an employee under Labor Code 230.7.
3. State that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student.
4. Ask the parent/guardian to meet with the principal after the visit and before leaving school, as required by Education Code 48900.1.

Suspension by Superintendent, Principal or Principal's Designee

The Superintendent, principal or principal's designee may suspend a student from a school for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

The Superintendent or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife, as defined in Education Code 48915(g), at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion".
5. Possession of an explosive as defined in 18 USC 921.

Suspension also may be imposed upon a first offense if the Superintendent, principal or designee determines the student violated items #1-5 listed in "Grounds for Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903, 48912)

The Superintendent or designee may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which a student may be suspended in any school year. (Education Code 48903)

Suspensions shall be initiated according to the following procedures:

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the principal, designee or the Superintendent 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 and the evidence against him/her; the student shall be given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911(b))

This conference may be omitted if the principal, designee or the Superintendent determines that an emergency situation exists. An "emergency situation" involves 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 a conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference will be held as soon as the student is physically able to return to school. (Education Code 48911(c))

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee.

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 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 also state the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may add that state law requires the parent/guardian to respond to such requests without delay.

4. Parent/Guardian Conference: Whenever a student is suspended, school officials may meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such conference. The student may not be denied readmission solely because the parent/guardian failed to attend. (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. (Education Code 48911(g))

Any extension of the original period of suspension shall be 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. Extension of the suspension may be made only if 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)

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal or Principal's 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 if any of the acts listed in “Grounds for Suspension and Expulsion” occurred. 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 closed sessions if a public hearing would lead to disclosure of information violating a student’s right privacy under Education Code 49073-49079.

(cf. 9321 - Closed Session Purposes and Agendas)

The Board shall provide the student and his/her parent/guardian with written notice of the closed session by or certified mail. 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 Codes 35146, 48912)

On-Campus Suspension Program

Students for whom an expulsion action has not been initiated and who pose no imminent danger or threat to the school may be assigned to a separate, supervised suspension classroom for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

1. The supervised suspension classroom shall be staffed in accordance with law.
2. The student shall have access to appropriate counseling services.
3. The supervised suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.
4. Each student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom. The teacher 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 a supervised 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 shall be made in writing. (Education Code 48911.1)

Authority to Expel

A student may be expelled only by the Board. The Board shall expel, as required by law, any student found to have committed certain offenses listed below under “Mandatory Recommendation and Mandatory Expulsion.”

The Board also may order a student expelled for any of the acts listed under “Grounds for Suspension and Expulsion” upon recommendation by the principal, Superintendent, hearing officer or administrative panel, based on finding 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.

Mandatory Recommendation for Expulsion

Unless the principal, Superintendent or designee finds that expulsion is inappropriate due to particular circumstances, the principal, Superintendent or designee shall recommend a student’s expulsion for any of the following acts: (Education Code 48915 (a))

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife as defined in Education Code 48915(g), explosive or other dangerous object of no reasonable use to the student.
3. Unlawful possession of any controlled substance, as listed in the Health and Safety Code 11053-11058, except for the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee.

Mandatory Recommendation and Mandatory Expulsion

Note: The Attorney General has determined, in 80 Ops.Cal. Atty. Gen. 347 (1997), that a district may not adopt a zero tolerance policy mandating expulsion of a student for a first offense of possession of a controlled substance or alcohol.

The principal, Superintendent or designee shall recommend that the Board expel any student found at school or at a school activity to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife as defined in Education Code 48915(g) at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above.
5. Possessing an explosive as defined in 18 USC 921.

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

The initial recommendation for consideration of expulsion is that of the school principal or the Superintendent. Designees may not make this type of recommendation.

The recommendation for consideration of expulsion shall be submitted to the Director, Office of Student Services, who will review the material and recommend:

1. Reassignment to appropriate regular education program.
2. Refer student to Alternative Program; i.e., Community School, Independent Study, Continuation or Opportunity School, or other district programs.
3. Refer the matter to the Discipline Review Panel for further consideration.

When a case is referred to the discipline Review Panel, the panel shall question school personnel who have information on the incident and the behavior record of the student charged and weighs the evidence presented.

The panel shall, in the case of an expulsion consideration, weigh information presented to determine:

- a. Is the evidence sufficient to support consideration by the expulsion panel?
- b. Has the district, through the schools involved, considered or utilized alternatives to expulsion when possible?
- c. Have due process procedures been adhered to?

The recommendation shall be either to proceed with the expulsion or to utilize an existing practical alternative in lieu of expulsion.

If the district (school) has not adhered to due process requirements, the student shall be returned to school immediately.

If the Discipline Review Panel meets to consider a matter other than an expulsion, it shall provide its best judgment as to an effective alternative program or plan to action.

The recommendation of the Discipline Review Panel shall be forwarded to the Director, Office of Student Services, who shall then review the facts, concur, veto or modify the recommendation.

4. That an expulsion panel be convened.

At the time a recommendation for expulsion is submitted, a hearing shall be scheduled by the Superintendent or designee to determine whether the suspension shall be extended. If the decision is to extend the suspension, the period of time shall be until the Board has rendered a decision or until the expulsion process is otherwise terminated.

The extension of suspension shall be based upon determination by the Superintendent or designee that the presence of the student at the school or in an alternative school placement would cause a danger to persons or property or a threat of disrupting the instructional process. This extension shall be imposed only after the student and the parent/guardian have been given the opportunity to be present at a hearing conducted by the Superintendent or designee. At this time, the student and parent/guardian shall be given the opportunity to be heard and present any information that might bear upon the decision.

Materials which support the decision of the person recommending the expulsion shall be prepared and submitted to the Office of Student Services. The departments of Attendance, Guidance, Special Education and/or Health may be requested to assist in the preparation of this material.

Student's Right to Expulsion Hearing

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred. (Education Code 48918 (a))

The student is entitled to 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 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 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 no 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))

Waiver of Hearing (Default Proceedings)

If the parent/guardian agrees that their son/daughter behaved essentially in the manner stated in the principals letter recommending expulsion and that such behavior constitutes a violation of the California Education Code, Section 48900, 48900.2, 48900.3, 48900.4, 48900.7 and/or 48915 a suspendable/expellable offense, the parent/guardian may request to waive the Administrative Hearing Panel.

When the parent/guardian agrees to waive the Administrative Hearing Panel, they also waive all notification and timelines related to the expulsion hearing process, along with their rights to appeal the determination of the Board.

The signed affidavit and findings of fact will be submitted to the Board for their approval. The Board has the discretionary power to accept, reject, or modify all recommendations.

Rights of Complaining Witness

An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental or emotional needs of a student who is the complaining witness. (Education Code 48918.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to all the following: (Education Code 48918.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing.
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies.
3. Have a closed hearing during the time he/she testifies.

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48918.5)

Written Notice of the Expulsion Hearing (Education Code 48918(b))

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least 10 calendar days before the date of the hearing. The notice shall include: (Education Code 48900.8, 48918 (b))

1. The date and place of the hearing.
2. A statement of the specific facts, charges and offense upon which the proposed expulsion is based.
3. A copy of district disciplinary rules which relate to the alleged violation.
4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment. This obligation applies when a student is expelled for acts other than those described in Education Code 48915 (a) or (c).
(cf. 5119 - Students Expelled from other Districts)

5. The opportunity for the student or the student's parent/guardian to appear in person and/or be represented by legal counsel or by a non-attorney advisor.

Legal counsel means an attorney or lawyer who is admitted to the practice of law in California and is an active member of the State Bar of California.

Non-attorney advisor 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.

Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and 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 request is made, the meeting shall be public, unless another student's privacy rights would be violated.

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to determine if the student should be expelled. If the Board admits any other person to the closed session, the parent/guardian, the student, and the counsel of the student, shall also be allowed to attend the closed session. (Education Code 48918(c))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to have his/her testimony heard in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including but not limited to videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

2. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate written and complete transcription of the proceedings can be made. (Education Code 48918(g))

3. Subpoenas: Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with the Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20, formerly 11525. (Education Code 48918(i))

Any objection raised by the student or the Superintendent or designee to the issuance of subpoenas may be considered by the Board in closed session, or in open session if so requested by the student, before the meeting. The Board's decision in response to such an objection shall be final and binding. (Education Code 48918(i))

If the Board determines, or if the hearing officer or administrative panel finds and submits to the Board, that a witness would be subject to unreasonable risk of harm by testifying at the hearing, a subpoena shall not be issued to compel the personal attendance of that witness at the hearing. However, that witness may be compelled to testify by means of a sworn declaration as described in item #4 below. (Education Code 48918(i))

4. Presentation of Evidence: While technical rules of evidence do not apply to expulsion hearings, 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 must be supported by substantial evidence that the student committed any of the acts listed in "Grounds for Suspension and Expulsion" above.

Findings of fact shall be based solely on the evidence at the hearing. While no evidence 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) and (h))

In cases where a search of a student's person or property has occurred, evidence describing the reasonableness of the search shall be included in the hearing record.

5. Testimony by Complaining Witnesses: The following procedures shall be observed when hearings involve allegations of sexual assault or sexual battery by a student: (Education Code 48918)

- a. Any complaining witness shall be given five days' notice before being called to testify.
- b. Any complaining witness shall be entitled to have up to two adult support persons, including but not limited to a parent/guardian or legal counsel, present during his/her testimony.
- c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- e. If one or both support persons are also witnesses, the hearing shall be conducted according to Penal Code 868.5.
- f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.
- g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.
 - (1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.
 - (2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.
 - (3) The person conducting the hearing may:
 - (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness.
 - (b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
 - (c) Permit one of the support persons to accompany the complaining witness to the witness stand.

6. Decision Within 10 Days: The Board's decision on whether to expel a student shall be made within 10 school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

7. Decision Within 40 Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

Instead of conducting an expulsion hearing itself, the Board may contract with the county hearing officer or with the Office of Administrative Hearings of the State of California for a hearing officer. Alternatively, the Board may 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(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified in "Conduct of Expulsion Hearing."

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 student shall be immediately reinstated. (See "Reinstatement.") The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers, and with the student's parent/guardian. (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 for a period of one year. (See "Decision Not to Enforce Expulsion Order" below.)

The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

The Discipline Review Panel

The Discipline Review Panel will consist of elementary educators when a review is being made of an elementary student and of secondary educators when a review is being made of secondary student.

1. The Discipline Review Panel shall hear the following types of disciplinary cases:
 - a. Requests for expulsion from site principals or the Superintendent.
 - b. School site administrative requests for assistance (non-expulsion situations).
2. Each discipline review panel shall consist of three certificated persons plus a chairperson and shall consist of elementary educators when a review is being made of an elementary student and of secondary educators when a review is being made of a secondary student. A panelist may not serve on any panel involving a student who is currently attending the school in which he/she is assigned. A representative from Student Services shall be a nonvoting member of each panel.

A chairperson and assistant chairperson, to serve when the chairperson is unable to serve, shall be appointed by the Superintendent or designee and shall serve at his/her pleasure. Neither shall be a member of the Student Services staff.

A pool of panelists shall be established which shall be composed of personnel who have served or are currently serving as members of administrative expulsion panels. The committee chairman shall select members to serve on individual panels.

The meetings of the discipline review panel are open to school district personnel only.

The duties of the Discipline Review Panel are as follows:

1. The chairperson shall call a meeting of the panel as soon as possible, but no later than 10 school days after the receipt of notice of a pending case.
2. A recommendation must be forwarded to the Director, Office of Student Services, within three days of the review hearing.
3. In the event a member of the committee cannot be present at a meeting, the Director, Office of Student Services, will appoint an alternate from the pool to attend.

Final Action by the Board

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel, the final action to expel shall be taken by the Board at a public meeting. (Education Code 48918(j))

(cf. 9321.1 - Closed Session Actions and Reports)

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

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 an act listed under “Mandatory Recommendation and Mandatory Expulsion” above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. (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 of the student at the time of review for readmission.
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service and other rehabilitative programs.

With parental 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 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 in Education Code 48900 (a)-(o), Education Code 48900.2-48900.4, Education Code 48915 (c) and (Education Code 48900.8).
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian. (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Governing Board. (Education Code 48918)
4. Notice of the alternative educational placements 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 Not to Enforce Expulsion Order

In accordance with Board policy, when deciding whether to suspend the enforcement of an expulsion, the Board shall take into account the following criteria:

1. The student’s pattern of behavior.
2. The seriousness of the misconduct.
3. The student’s attitude toward the misconduct and his/her willingness to follow a rehabilitation program.

The suspension of the enforcement of an expulsion shall be governed by the following: (Education Code 48917)

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.
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status.
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” above or violates any of the district’s rules and regulations governing student conduct.
4. When the suspension of the enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order.
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings.
6. 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 County Board of Education.

7. 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 also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education. (Education Code 48918 (j))

Right to Appeal

The student or parent/guardian is entitled to file an appeal of the Board's decision to the County Board of Education. The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion action is suspended and the student is placed on probation. (Education Code 48919)

Post-Expulsion Placements

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 such a site.
3. Not housed at the school site attended by the student at the time of suspension.

(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for acts described in items #6 through #13 and #17 through #19 under "Grounds for Suspension and Expulsion" may be instead 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

Readmission procedures shall be as follows:

1. On the date set by the Board when it ordered the expulsion, the district shall consider readmission of the student. (Education Code 48916)
2. 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.
3. The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session if information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it shall be honored.
4. 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.
5. 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)
6. 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. (Education Code 48916)
7. 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)

Maintenance of Records

The Board shall maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls, within five days of a written request by the admitting school. (Education Code 48900.8, 48918(k))

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district. (Education Code 48915.1)

(cf. 5119 - Students Expelled from Other Districts)

(cf. 5125 - Student Records)

Notifications 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 also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering or sale of controlled substances, alcohol, or intoxicants of any kind. (Education Code 48902)

Ouome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion.
2. The grounds for each recommended expulsion.
3. Whether the student was subsequently expelled.
4. Whether the expulsion order was suspended.
5. The type of referral made after the expulsion.
6. The disposition of the student after the end of the expulsion period.

Regulation: REDLANDS UNIFIED SCHOOL DISTRICT

Approved: June 27, 1995, Redlands, California

(D) Procedures to Notify Teachers of Dangerous Pupils (EC 49079)

1. List is comprised by Student Services and shared with Administration
2. Administration contacts teachers with a copy of suspension/expulsion notifications, which include student's name.
3. Teachers can either want to review student's record with administration, or they can refusing the need to review the record.

(E) Sexual Harassment Policies (EC 212.6 [b])

Policy 4119.11: Sex Discrimination and Sex-Based Harassment

The Governing Board is committed to providing a safe work environment that is free of harassment and intimidation. The Board prohibits sexual harassment against district employees by anyone, in any manner, and prohibits retaliatory action or behavior against any persons who complains, testifies, or otherwise participates in the complaint process established pursuant to this policy and accompanying administrative regulation. This policy shall apply to all district employees, interns, volunteers, contractors, job applicants, and other persons with an employment relationship with the district.

(cf. 0410 - Nondiscrimination in District Programs and Activities) (cf. 4030 - Nondiscrimination in Employment)

Sexual harassment includes, but is not limited to, harassment that is based on the sex, gender, gender identity, gender expression, or sexual orientation of the victim and harassment based on pregnancy, childbirth, or related medical conditions.

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation, and correction of sexual harassment, including but not limited to:

1. Providing training to all staff in accordance with law and administrative regulation.
2. Publicizing and disseminating the district's sexual harassment policy to staff.
3. Ensuring prompt, thorough, equitable, and fair investigation of complaints
4. Taking timely and appropriate corrective/remedial actions which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments.

The Superintendent or designee shall periodically evaluate the effectiveness of the district's strategies to prevent and address harassment. Such evaluation may involve conducting regular anonymous employee surveys to assess whether harassment is occurring or is perceived to be tolerated, partnering with researchers or other agencies with the needed expertise to evaluate the district's prevention strategies, and using any other effective tool for receiving feedback on systems and/or processes. As necessary, changes shall be made to the harassment policy, complaint procedures, or training.

Sexual Harassment Reports and Complaints

Any district employee who feels that he/she has been sexually harassed in the performance of their district responsibilities or who has knowledge of any incident of sexual harassment by or against another employee shall immediately report the incident to his/her supervisor, the principal, other district administrator, or the district's Title IX Coordinator. However, an employee may bypass his/her supervisor in filing a complaint if the supervisor is the subject of the complaint. A supervisor, principal, or district administrator who receives a harassment complaint shall promptly notify the Title IX Coordinator.

Once notified, the Title IX Coordinator shall ensure the complaint or allegation is addressed through AR 4119.12/4219.12/4319.12 – Title IX Sexual Harassment Complaint Procedures or AR 4030- Nondiscrimination in Employment, as applicable. Because a complaint or allegation that is dismissed or denied under the Title IX complaint procedure may still be subject to consideration under state law, the Title IX Coordinator shall ensure that any implementation of AR 4119.12/4219.12/4319.12 concurrently meets the requirements of AR 4030.

Notwithstanding the above, BP/AR 4119.12/4219.12/4319.12 and 4030 shall under no circumstances be used to resolve complaints brought by, on behalf of, or against students. All complaints brought by, on behalf of, or against students that allege "sexual harassment" as that term is defined in the federal regulations implementing Title IX of the Education Amendments of 1972 (see 34 C.F.R. § 106, et seq.) shall be investigated and resolved under BP/AR 5145.71. All complaints brought by, on behalf of, or against students that do not meet the definition of "sexual harassment" as set forth in the Title IX implementing regulations shall be investigated and resolved under BP/AR 1312.3.

(cf. 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaints)

The Title IX Coordinator shall offer supportive measures to the complainant and respondent, as deemed appropriate under the circumstances.

Upon investigation of a sexual harassment complaint, any district employee who engages, or participates in sexual harassment, or who aids, abets, incites, compels, or coerces another to commit sexual harassment in violation of this policy is subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Reports) (cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4218 -

Dismissal/Suspension/Disciplinary Action)

Regulation 4119.12: Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures

The complaint procedures described in this administrative regulation shall be used to address any complaint governed by Title IX of the Education Amendments of 1972 alleging that a district employee, while in an education program or activity in which a district school exercises substantial control over the context and respondent, was subjected to one or more of the following forms of sexual harassment: (34 CFR 106.30, 106.44)

1. A district employee conditioning the provision of a district aid, benefit, or service on a person's participation in unwelcome sexual conduct
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291 (cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

All other sexual harassment complaints or allegations shall be investigated and resolved in accordance with AR 4030

- Nondiscrimination in Employment. The determination of whether the allegations meet the definition of sexual harassment under Title IX shall be made by the district's Title IX Coordinator.

(cf. 4030 - Nondiscrimination in Employment)

Because the complainant has a right to pursue a complaint under AR 4030 for any allegation that is dismissed or denied under the Title IX complaint procedure, the Title IX Coordinator shall ensure that all requirements and timelines for AR 4030 are concurrently met while implementing the Title IX procedure.

Reporting Allegations/Filing a Formal Complaint

An employee who is the alleged victim of sexual harassment may submit a report of sexual harassment to the district's Title IX Coordinator using the contact information listed in AR 4119.11/4219.11/4319.11 - Sexual Harassment or to the employee's direct supervisor or other district administrator, who shall forward the report to the Title IX Coordinator within one day of receiving the report. Upon receiving such a report, the Title IX Coordinator shall inform the complainant of the right to file a formal complaint and the process for filing a formal complaint.

A formal complaint, with the complainant's physical or digital signature, may be filed with the Title IX Coordinator in person, by mail, by email, or by any other method authorized by the district. (34 CFR 106.30)

Even if the alleged victim chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations when a safety threat exists. In addition, the Title IX Coordinator may file a formal complaint in other situations as permitted under the Title IX regulations, including as part of the district's obligation to not be deliberately indifferent to known allegations of sexual harassment. In such cases, the Title IX Coordinator shall provide the alleged victim notices as required by the Title IX regulations at specific points in the complaint process.

The Title IX Coordinator, investigator, decision-maker, or a facilitator of an informal resolution process shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. Such persons shall receive training in accordance with 34 CFR 106.45. (34 CFR 106.45)

Supportive Measures

Upon receipt of a report of Title IX sexual harassment, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures and shall consider the complainant's wishes with respect to the supportive measures implemented. Supportive measures shall be offered as appropriate, as reasonably available, and without charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures shall be nondisciplinary, nonpunitive, and not unreasonably burden the other party, including measures designed to protect the safety of all parties or the district's educational environment or to deter sexual harassment. Supportive measures may include, but are not limited to, counseling, extensions of deadlines, modifications of work schedules, mutual restrictions on contact, changes in work locations, leaves of absence, increased security, and monitoring of certain areas of the campus. (34 CFR 106.30, 106.44)

The district shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the district's ability to provide the supportive measures. (34 CFR 106.30)

Emergency Removal

If a district employee is the respondent, the employee may be placed on administrative leave during the pendency of the formal complaint process. (34 CFR 106.44)

If the respondent is a student, the district may, on an emergency basis, remove the student from the district's education program or activity, provided that the district conducts an individualized safety and risk analysis, determines that removal is justified due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations, and provides the student with notice and an opportunity to challenge the decision immediately following the removal. This authority to remove a student does not modify a student's rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973. (34 CFR 106.44)

Dismissal of Complaint

The Title IX Coordinator shall dismiss a formal complaint if the alleged conduct would not constitute sexual harassment as defined in

34 CFR 106.30 even if proved. The Title IX Coordinator shall also dismiss any complaint in which the alleged conduct did not occur in the district's education program or activity or did not occur against a person in the United States, and may dismiss a formal complaint if the complainant notifies the district in writing that the complainant would like to withdraw the complaint or any allegations in the complaint, the respondent is no longer employed by the district, or sufficient circumstances prevent the district from gathering evidence sufficient to reach a determination with regard to the complaint. (34 CFR 106.45)

Upon dismissal, the Title IX Coordinator shall promptly send written notice of the dismissal and the reasons for the dismissal simultaneously to the parties and shall inform them of their right to appeal the dismissal of a formal complaint or any allegation in the complaint in accordance with the appeal procedures described in the section "Appeals" below. (34 CFR 106.45)

If a complaint is dismissed, the conduct may still be addressed pursuant to AR 4030 - Nondiscrimination in Employment as applicable.

Informal Resolution Process

When a formal complaint of sexual harassment is filed, the district may offer an informal resolution process, such as mediation, at any time prior to reaching a determination regarding responsibility. The district shall not require a party to participate in the informal resolution process or to waive the right to an investigation and adjudication of a formal complaint. (34 CFR 106.45)

The district may facilitate an informal resolution process provided that the district: (34 CFR 106.45)

1. Provides the parties with written notice disclosing the allegations, the requirements of the informal resolution process, the right to withdraw from the informal process and resume the formal complaint process, and any consequences resulting from participating in the informal resolution process, including that records will be maintained or could be shared.
2. Obtains the parties' voluntary, written consent to the informal resolution process

Written Notice

If a formal complaint is filed, the Title IX Coordinator shall provide the known parties with written notice of the following: (34 CFR 106.45)

1. The district's complaint process, including any informal resolution process
2. The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known. Such notice shall be provided with sufficient time for the parties to prepare a response before any initial interview. If, during the course of the investigation, new Title IX allegations arise about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.
3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process
4. The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an attorney, and the ability to inspect and review evidence
5. The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process

The above notice shall also include the name of the investigator, facilitator of an informal process, and decision-maker and shall inform the parties that, if at any time a party has concerns regarding conflict of interest or bias regarding any of these persons, the party should immediately notify the Title IX Coordinator.

Investigation Procedures

During the investigation process, the district's designated investigator shall: (34 CFR 106.45)

1. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and

exculpatory evidence

2. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence
3. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney
4. Not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding, although the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as the restrictions apply equally to both parties
5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate
6. Send in an electronic format or hard copy to both parties and their advisors, if any, the evidence obtained as part of the investigation that is directly related to the allegations raised in the complaint, and provide the parties at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report
7. Objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and determine credibility in a manner that is not based on a person's status as a complainant, respondent, or witness
8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review and written response

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. (34 CFR 106.45)

Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.

If the complaint is against an employee, rights conferred under an applicable collective bargaining agreement shall be applied to the extent they do not conflict with the Title IX requirements.

Written Decision

The Superintendent shall designate an employee as the decision-maker to determine responsibility for the alleged conduct, who shall not be the Title IX Coordinator or a person involved in the investigation of the matter. (34 CFR 106.45)

After the investigative report has been sent to the parties but before reaching a determination regarding responsibility, the decision-maker shall afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party.

The decision-maker shall issue, and simultaneously provide to both parties, a written decision as to whether the respondent is responsible for the alleged conduct. (34 CFR 106.45)

The written decision shall be issued within 60 calendar days of the receipt of the complaint.

The timeline may be temporarily extended for good cause with written notice to the complainant and respondent of the extension and the reasons for the action. (34 CFR 106.45)

In making this determination, the decision-maker shall use the "preponderance of the evidence" standard for all formal complaints of sexual harassment. (34 CFR 106.45)

The written decision shall include the following: (34 CFR 106.45)

1. Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR 106.30

2. A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the district includes hearings as part of the grievance process
3. Findings of fact supporting the determination
4. Conclusions regarding the application of the district's code of conduct or policies to the facts
5. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's educational program or activity will be provided by the district to the complainant
6. The district's procedures and permissible bases for the complainant and respondent to appeal

Appeals

Either party may appeal the district's decision or dismissal of a formal complaint or any allegation in the complaint, if the party believes that a procedural irregularity affected the outcome, new evidence is available that could affect the outcome, or a conflict of interest or bias by the Title IX Coordinator, investigator(s), or decision-maker(s) affected the outcome. If an appeal is filed, the district shall: (34 CFR 106.45)

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties
2. Ensure that the decision-maker(s) for the appeal is trained in accordance with 34 CFR 106.45 and is not the same decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator
3. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome
4. Issue a written decision describing the result of the appeal and the rationale for the result
5. Provide the written decision simultaneously to both parties

An appeal must be filed in writing within 10 calendar days of receiving the notice of the decision or dismissal, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered.

A written decision shall be provided to the parties within 20 calendar days from the receipt of the appeal.

Either party has the right to file a complaint with the U.S. Department of Education's Office for Civil Rights within 180 days of the date of the most recently alleged misconduct.

The complainant shall be advised of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal antidiscrimination laws, if applicable.

Remedies

When a determination of responsibility for sexual harassment has been made against the respondent, the district shall provide remedies to the complainant. Such remedies may include the same individualized services described above in the section "Supportive Measures," but need not be nondisciplinary or nonpunitive and need not avoid burdening the respondent. (34 CFR 106.45)

Disciplinary Actions

The district shall not impose any disciplinary sanctions or other actions against a respondent, other than supportive measures as described above in the section "Supportive Measures," until the complaint procedure has been completed and a determination of responsibility has been made. (34 CFR 106.44)

When an employee is found to have committed sexual harassment or retaliation, the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Report)

(cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4119.11/4219.11/4319.11 - Sexual Harassment) (cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Record-Keeping

The Superintendent or designee shall maintain, for a period of seven years: (34 CFR 106.45)

1. A record of all reported cases and Title IX investigations of sexual harassment, any determinations of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary sanctions imposed, any remedies provided to the complainant, and any appeal or informal resolution and the results therefrom.
2. A record of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment, including the district's basis for its conclusion that its response was not deliberately indifferent, the measures taken that were designed to restore or preserve equal access to the education program or activity, and, if no supportive measures were provided to the complainant, the reasons that such a response was not unreasonable in light of the known circumstances.
3. All materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process. The district shall make such training materials publicly available on its web site, or if the district does not maintain a web site, available upon request by members of the public.

(cf. 1113 - District and School Web Sites) (cf. 3580 - District Records)

(F) School-wide Dress Code Relating to Gang-Related Apparel (EC 35183)

Policy 5132.16: Student Dress Guidelines

The Governing Board believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Students' clothing must not present a health or safety hazard or a distraction which would interfere with the educational process.

Students and parents/guardians shall be informed about dress and grooming standards at the beginning of the school year and whenever these standards are revised. A student who violates these standards shall be subject to appropriate 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 dress code may be included as part of the school safety plan and must be presented to the Board for approval. The Board shall approve the plan upon determining that it is necessary to protect the health and safety of the school's students.

Uniforms

The Board recognizes that, in order to promote student safety and discourage peer rivalry and/or gang activity, the principal, staff and parent/guardian at a school site may wish to establish a reasonable dress code, which may include voluntary school uniforms.

Dress codes, which include voluntary school uniforms, may be included as part of the school safety plan submitted as required.

The Superintendent or designee shall establish procedures that schools, parents and guardians will follow if they decide to participate with the voluntary school uniform policy. Students shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardian decide not to participate.

The Governing Board feels that there is nothing inherently wrong with dress or color of dress, but when student's dress serves to intimidate or impede the rights of other students it will be determined that dress is in violation of this policy. A student may not remain at school dressed in a manner which (1) creates a safety hazard for said student or for other students at school, and/or (2) when the dress constitutes a serious and unnecessary distraction to the learning process or tends to disrupt campus order

When the site administrator/designee determines that a student's attire is in violation of this policy, the student will be required to modify his/her clothing and/or apparel in such a manner that it no longer violates this policy. If necessary, the student may be taken or sent home with parental permission to modify unacceptable dress and return to school. Refusal to take steps as described in this policy shall be cause for disciplinary action against the student. Any such disciplinary action shall be handled pursuant to existing student disciplinary policy

Parents/guardians have primary responsibility to see that students are properly attired for school. School district personnel have the responsibility for maintaining proper and appropriate conditions conducive to learning. Hence, the following guidelines will be implemented in all district schools.

1. Shoes will be worn at all times. A substantial sole is required and enclosed toe and heel footwear are highly encouraged.
2. Extremely brief garments that are distracting to the educational environment are not appropriate. Clothing shall be sufficient to conceal undergarments at all times.
3. Clothing or accessories shall be free of writing, pictures or any other insignia which are crude, violent, obscene or sexually suggestive or which advocate racial, ethnic or religious prejudice or the use of tobacco, drugs or alcohol.
4. Earrings, jewelry, or accessories which present a safety hazard to the wearer or others are not suitable for school wear.
5. Only prescription sunglasses may be worn in class. Other types of sunglasses may be worn on campus outside of class.
6. Identified gang attire such as bandannas, haircuts or hair rollers, or any gang paraphernalia are prohibited.

Students are allowed to wear sun protective clothing, including hats, while outdoors during the school day. Each school site will develop a policy indicating the type of sun protective hats that are permitted.

No grade of a student participating in a physical education class shall be adversely affected if the student does not wear standardized physical education apparel because of circumstances beyond the student's control. (Education Code 49066) All clothing worn during physical education shall meet reasonable safety standards.

The purpose of adopting these Student Dress Guidelines is not to infringe on any individual student's rights to freedom of expression, but rather to encourage students to dress appropriately and come to school properly prepared for participating in the educational process.

Gang-Related Apparel

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed as needed and updated as necessary.

Uniforms

In schools where a majority of parents respond and indicate on a survey that they desire to establish a voluntary school-wide uniform dress code, the principal, staff and the parents/guardians of the individual school site shall:

1. Jointly select the specific uniform to be worn. (Education Code 35183)
2. Describe the uniform parts and identify local vendors who sell those pieces of clothing. A description of the implementation of the voluntary uniform dress code will be submitted to the superintendent's designee including:
 - a. The process for parent notification
 - b. Positive procedures that will be used to encourage students to participate with the voluntary uniform dress code
3. A description of the uniform and a list of costs for each competitively priced item of clothing as provided by a variety of vendors will be sent to parents.
4. Parents will be notified that this is a voluntary uniform dress code and that students not participating shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardians so decide.

Parent Notification

The principal shall give parents/guardian at least six months notice before a school site implements a voluntary school uniform dress code. (Education Code 35183)

(G) Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School (EC 35294.2)

Students can enter the Moore campus from four gates: Main Gate (bus ramp), Highland Ave. Gate, Dearborn Gate, and 5th Ave. Gate (field).

Parents are restricted to Main Office entry during school hours and must use Raptor system if entering school campus.

Staff must check in at the main office through two Raptor laptops.

Students, parents, and staff can all exit through any of the gates mentioned above at the end of the school day.

Gates and site perimeter is inspected on a daily basis.

(H) A Safe and Orderly School Environment Conducive to Learning (EC 35294.2)

Component:

Physical Environment

The Schools' Location and Physical Environment

Moore Middle School is located in the Redlands area of San Bernardino County that has an average crime rate and poverty level. The immediate area round the school includes Present safety hazards include A very short perimeter fence from Dearborn to 5th ave. at the back of the school campus..

Description of School Grounds

The school site encompasses 29 acres. The grounds are grass, concrete and asphalt and includes basketball and volleyball courts, baseball diamonds and a lined track. There are several wings and/or clusters of classrooms including 47 classrooms 14 re-locatable classrooms. Other ancillary structures include Multi-purpose room, cafeteria, PE locker rooms, library, and office..

During the school day, staff members and administrators shall provide campus supervision. Identified problem areas receive increased supervision to reduce discipline, crime, or other school safety concerns.

It shall be the practice of Moore Middle School to remove all graffiti from school property before pupils arrive to begin their school day. Other acts of vandalism are promptly addressed.

Maintenance of School Buildings/Classrooms

The school's physical facility is well maintained and generally looks neat and clean. The school was most recently painted with the install of murals and two classrooms were painted in 2022 renovated during the 2022 school year with two classrooms receiving new carpet, this year. District personnel periodically examine the school's physical facility and help eliminate obstacles to school safety. Additionally, health and fire department inspectors contribute to school safety.

Internal Security Procedures

Moore Middle School has established procedures in the following areas: California Safe School Assessment (CSSA) reporting procedures, suspension and expulsion procedures, inventory system, and single point of entry with Raptor sign in.

Moore Middle School crime statistics reflect a total of 1 crimes reported during the 2021-2022 school year.

Keeping reportable crimes at a minimum requires constant vigilance. The following strategies will be utilized in achieving this goal: Campus Safety Officers and Campus Monitors with assigned areas, single point of entry, Raptor system for all visitors, and Sprigeo. Whenever crimes or misconduct by students are suspected, we encourage victims and witnesses to notify school officials and other proper authorities by either speaking with a teacher, counselor, administrator, or other school employee or making an anonymous report via Sprigeo. Signage is posted throughout campus following the RUSD See Something, Hear Something, Sense Something, Say Something campaign and a formal presentation has been conducted with all students to ensure their understanding of the options they have for reporting their concerns. Additionally, if the crime or misconduct is a violation of the law, witnesses, victims, and their parents/guardians are encouraged to notify Redlands Police Department or the San Bernardino County Sheriff's Department.

Moore Middle School maintains a copy of the district's sexual harassment policy in the main office/principal's office and the policy is available on request. The District's Sexual Harassment Policy contains dissemination plans, applicable definitions, reporting requirements, investigation procedures, enforcement regulations, and information related to suspension and/or expulsion for sexual harassment of or by pupils. Additionally, a notice summarizing this sexual harassment policy appears in the Parent & Student Handbook. The parent student handbook is distributed at the beginning of each school year to all parents and pupils.

To ensure the safety of pupils and staff, all visitors to the campus, except pupils of the school and staff members, shall register immediately upon entering any school building or grounds when school is in session. District employees, not assigned to Moore Middle School shall wear appropriate identification badges while on campus conducting business.

Discipline procedures shall focus on finding the cause of problems and working with all concerned to reach the proper, lawful solutions. The school's discipline plan begins at the classroom level. Teachers shall use a visible classroom management plan to communicate classroom rules, promote positive pupil conduct, and reduce unacceptable conduct. Appropriate consequences are administered based on the seriousness of the pupil's misbehavior.

Pupil conduct standards and consequences for Moore Middle School are specifically described in this Comprehensive Schools Safety Plan including: (a) the adopted school discipline rules and procedures, (b) District Disciplinary Guidelines, and (c) the adopted school-wide dress code.

Pupils may be suspended, transferred to another school, or recommended for expulsion or for certain acts. For specific student violations, a mandatory expulsion recommendation shall be submitted by the administration of Moore Middle School.

Site administrators contribute to a positive school climate, promote positive pupil behavior, and help reduce inappropriate conduct. The principal/designee uses available district and other appropriate records to inform teachers of each pupil identified under E.C. 49079.

Law enforcement is contacted and consulted to help maintain and to promote a safe and orderly school environment. Moore Middle School employees comply with all legal mandates, regulations, and reporting requirements for all instances of suspected child abuse.

If appropriate, additional internal security procedures affecting the integrity of the school facility include: All visitors must use single point of entry and sign-in via RAPTOR system to gain access to the campus. We are conducting empty room checks and conducting daily safety checks of all classrooms throughout various times of the day. We have installed a switch to toggle all doors equipped with toggle (Admin, MPR, locker rooms, and library) to lock upon activating.

Community involvement is encouraged to help increase school safety.

Moore Middle School encourages community involvement through monthly Safety Committee Team meetings in which parents, community members, school staff and students work together to discuss and address concerns.

Inventory System - Engraved ID, Security Storage

Most school-site equipment has a metal ID tag or a bar code sticker adhered to its surface. These items are inventoried annually and there is an established accountability system. Office and classroom supplies are secured.

Element:**Goal 1:**

Maintain a secure campus during the school day.

Opportunity for Improvement:**a. Pride**

1. Returning to a secure, staff monitored entry of campus and refreshing the safety protocols to ensure there is not an unmanned point of entry during the school day (8:45 AM - 3:15 PM). Mile day back gates will be open but supervised by PE personnel. All employees and visitors entering campus must sign-in via the RAPTOR system and campus safety walks including perimeters and classrooms are a daily priority
2. Ensuring all staff is familiar and reminded of our Disaster Drill protocols and procedures including fire drills, lockdown drills and earthquake drill safety procedures.

b. Areas of Desired Improvement

1. Campus monitors, security, admin and support staff have been assigned to various areas on campus for safety checks of all spaces throughout the day.
2. Improved sense of security and familiarity with disaster response drills.

Objectives	Action Steps	Resources	Lead Person	Evaluation
<p>II. Desired Change #1</p> <p>We would like the district to provide an additional campus monitor and a surrounding black fence along Dearborn and 5th avenue.</p>	<p>a. Related Strategies and Activities</p> <p>1. Practice lockdowns will be made throughout the school year with prior knowledge of school personnel.</p> <p>2. Lockdown procedures will be posted in all rooms on campus.</p>	<p>b. Resources Required</p> <p>1. Lockdown procedures will be sent to DO for copying and laminating.</p> <p>2. Work orders will be put in ensure all locks are in good working order on all gates</p> <p>e. Budget</p> <p>1.</p> <p>2.</p>	<p>c. Personnel Assignments</p> <p>1. Security, campus monitors, admin and support staff are assigned to campus safety checks in a structured, routine manner that is monitored for implementation.</p> <p>2. Security and monitors will be assigned locations to supervise throughout the day</p>	<p>f. Evaluation criteria</p> <p>1. Practice lockdowns will decrease in time.</p> <p>2.</p> <p>d. Timeframe for completion</p> <p>1. All work orders will be completed as soon as possible.</p> <p>2.</p>
<p>III. Desired Change #2</p> <p>Daily safety checks are conducted of all spaces and the perimeter of campus throughout the school day and Raptor sign-ins are monitored.</p>	<p>a. Related Strategies and Activities</p> <p>1. Safety check routines and schedules are developed and implemented.</p> <p>2. Raptor Reports are routinely run to ensure employee and visitor sign-ins.</p>	<p>b. Resources Required</p> <p>1. N/A</p> <p>2.</p> <p>e. Budget</p> <p>1.</p> <p>2.</p>	<p>c. Personnel Assignments</p> <p>1. Security, campus monitors, admin and support staff are assigned to campus safety checks in a structured, routine manner that is monitored for implementation.</p> <p>2.</p>	<p>f. Evaluation criteria</p> <p>1. Daily recording of safety check implementation</p> <p>2. Raptor Reports to ensure all employees and visitors have signed-in per protocol.</p> <p>d. Timeframe for completion</p> <p>1. On going, daily</p> <p>2.</p>

Component:

School Climate

The School's Social Environment

Leadership at Moore Middle School is a shared process. A proactive role is assumed in all phases of the school operation. The current management team is committed to developing Moore Middle School toward excellence in the areas of academic and social behavior.

The principal sets a positive tone for the school, guides the staff and works closely with them on curriculum and school safety issues. The school site's organizational structure is open and flexible contributing to sensitivity concerning school safety issues and promoting a safe, orderly school environment conducive to learning.

Disaster Procedures, Routine and Emergency

A contingency plan for emergencies is contained in a handbook available to each staff member. The District's Emergency Response Plan - (ERP Plan) is listed at the last section of this plan. The plan is reviewed at the beginning of each school year. This plan also contains available district and outside agency resources, emergency disaster procedures and information on Standardized Emergency Management System (SEMS).

Classroom Organization and Structure

Moore Middle School teachers provide a varied learning environment in their classrooms. Teachers use a variety of teaching strategies including: EL strategies such as sentence frames, visual presentations and vocabulary support as well as target support in English classes, Direct Instruction strategies, Thinking Maps, scaffolding, Universal Design for

Learning, hands on activities to extend thinking, DOK questioning strategies. WICOR an AVID strategy has been implemented school wide.

The teachers at Moore Middle School are highly qualified, with many teachers holding advanced degrees. The staff is united in their desire to provide quality education for all pupils. Classrooms and teachers provide safe, orderly learning environment, enhance the experience of learning, and promote positive interactions amongst pupil and staff. Instructional time is maximized and disruptions are minimized.

The School's Cultural Environment

There is a high level of cohesiveness among the staff members at Moore Middle School. Cooperation and support between teachers and the administration is evident. Efforts are made by the administration and staff to show concern for all pupils.

All pupils are expected to behave in a manner that promotes safety and order. Pupils are encouraged to bring problems to the principal, assistant principal, counselor, teacher or other staff members. The everyday goal is for the staff to be proactive rather than reactive in all situations of concern.

The academic and behavior efforts of pupils are recognized and rewarded.

Cultural diversity is celebrated throughout the year by classroom activities and lessons, Black History Month activities, Women's History Month activities, Hispanic Heritage Month activities, anti-bullying unit (via PE classes), ASB Clubs, SEL lessons ,PBIS and WEB class/activities...

Element:

Goal 2:

Students and staff will feel secure at all times.

Opportunity for Improvement:

I. Areas of Pride and Desired Improvements

a. Pride

1. Moore Middle School has become a PBIS school. PBIS teaches behavioral expectations and rewards students for following them. It creates safe learning environment and establishes a positive climate and culture for all students. We have established school wide expectations of Effort, Kindness, and Respect through our PBIS program.
2. Continue the implementation of school-wide Social Emotional Learning to support students in their mental well-being.

b. Areas of Desired Improvement

1. Update and re-focus common school language to ensure all students know PBIS expectations for behavior campus wide.
2. Support implementation of SEL (Social Emotional Learning) through Wellness Wednesday activities through all elective classes.

Objectives	Action Steps	Resources	Lead Person	Evaluation
II. Desired Change #1 Update and re-focus common school language to ensure all students know PBIS expectations for behavior campus wide.	a. Related Strategies and Activities 1. Review and update PBIS language with staff and students to maintain relevancy and support implementation at Staff meeting and Student Expectation assembly. 2. Lunch time PBIS activities throughout the school year.	b. Resources Required 1. Candy 2. PBIS prize store gift items (incentive prizes bought with PBIS points) e. Budget 1. Character Education budget should be focused on updating posters/banners throughout campus as well as purchasing student incentives. 2.	c. Personnel Assignments 1. All Staff 2.	f. Evaluation criteria 1. Student discipline data and attendance and student grades 2. d. Timeframe for completion 1. By the second semester of the 2023-2024 school year 2.
III. Desired Change #2 Support implementation of SEL (Social Emotional Learning) through classroom lessons, small groups and individual counseling.	a. Related Strategies and Activities 1. Counselors visit classrooms to support teachers in implementing SEL lessons 2. Counselors provide staff with strategies to support teacher implementation	b. Resources Required 1. Access to SEL lessons e. Budget 1. none 2.	c. Personnel Assignments 1. Teachers 2. Counselors	f. Evaluation criteria 1. Student discipline data and attendance and student grades 2. d. Timeframe for completion 1. By the end of the 2023-2024 school year 2.

(I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5)

Moore Middle School Student Conduct Code

Procedures to Ensure a Safe and Orderly Environment

Rules and Procedures on School Discipline

Philosophy of Discipline

- Behavior expectations and the consequences for not meeting expectations must be clearly communicated to all students and their parents (in writing as well as verbally).
- The severity of consequences for violating behavior expectations increases with each incident of inappropriate behavior.
- The consequences for violating behavior expectations should be severe enough to discourage students from making poor behavior decisions.
- Expectations and consequences should permit students an opportunity to eliminate inappropriate behavior.

Additionally, the school staff recognizes that the middle school years are a transition time from adolescence to young adulthood. As a part of this transition, the student is given greater opportunities to be responsible and demonstrate independence and good judgment. The structure of our behavior expectations (in the classroom as well as school wide) is meant to encourage students to be responsible. The first step in many instances of inappropriate behavior (those considered to be "minor") is a simple warning ("Your behavior is unacceptable. Please stop such behavior"). It is only when a student ignores such warnings and continues to choose to act irresponsibly (like a child rather than an emerging adult) that we involve parents and implement consequences.

Elements of a Good Discipline Program

1. The program is focused upon making the entire campus, especially the classroom, a safe, supportive and orderly environment for learning for students and staff.
2. Classroom authority is retained by the classroom teacher. (Administration's role is to support, not to replace.)
3. Rules and procedures are clearly understood by staff and students.
4. All staff members will acknowledge and take appropriate action on any minor or major infraction of the school rules.
5. Rules and procedures comply with State Law and District policies.
6. The program recognizes the responsibilities and the rights of students and staff.
7. Program is structured to keep students in class and engaged in the educational process.
8. Rules are enforced:
 - A. by all staff members at all times.
 - B. strictly, but not rigidly (beware of "automatics").
 - C. in substantial part by adult modeling.
 - D. using techniques that promote the growth of positive self-esteem.
 - E. as close to the source as is possible.
 - F. by keeping parents informed.
9. The discipline program is understood, endorsed, and supported by staff, parents, and students.

PRINCIPAL'S STATEMENT TO EDMS STAFF

Expectations in Developing & Maintaining Discipline

As Principal of our school, I will expect;

Each teacher to have a defined system of classroom management. A written description of this system, including representative examples of the progressive interventions you intend to employ, will be approved and filed by me. Whenever possible and appropriate, teachers are encouraged to use standards and systems that are consistent with other village/department members.

You can expect

Each administrator to assist and support you in every reasonable way in developing, implementing, and refining that system as needed.

I will expect

That when you refer a student for discipline:

1. The student has been made fully aware of classroom and school rules and knows what rules he/she has violated.
2. Teachers within a village will discuss any continuing behavior problems and schedule a team conference with the student and parents when appropriate.
3. That information will be provided on the referral regarding previous actions you have taken regarding this specific issue.
4. You have exhausted the interventions at your disposal (i.e., you have done everything you can do) and you have followed the guidelines established by the administration and staff on what constitutes an appropriate behavior referral.
5. The behavior was so serious or so blatant as to make immediate removal from the classroom necessary.
6. The written referral will be explicit in stating the offense(s).
7. You will send the student out of class with a referral only if his/her continued presence in the class would disrupt or prevent teaching and/or learning.
8. If necessary, the referral will be delivered to the office at a time convenient to the staff member so that the issue may be handled most efficiently, causing a minimum of lost class time.

You can expect

1. Each administrator to support your position in every reasonable way.
2. A response time on your referral of one, or at most, two days.

3. The availability of an administrator to discuss unresolved referrals after school on any given day.
4. That the administrator will exercise independent judgment regarding disposition of referrals.

I will expect

1. That each teacher will go to the doorway of his/her classroom after each class period as often as possible and assume control of student behavior in the corridor.
2. That each staff member will hold students accountable for their behavior on the school grounds at all times.

You can expect

1. Administrator support, investigation, and follow-through as indicated.
2. A response to referrals from incidents outside the classroom to be the same as to those within.

Jennie Dyerly
Principal

WHAT TO DO WHEN PROBLEMS APPEAR

Both behavioral and academic problems are present in some of our students. Teachers often ask for guidelines for dealing with these problems. Here they are:

1. Talk to the administrator assigned to your grade level.
2. Call parents at first sign of concern. Inform the parents of your observations, ask for their ideas, assistance, and support in serving the student. Keep a log of your calls.
3. If possible, talk privately to the student about your concerns.
4. Behavior concerns—look through students' CUM file. Any official suspensions will be in file, also look for teacher comments on report cards. Look for patterns of behavior. We use In-House Suspension whenever possible, as it is preferable to having students at home unattended—and it saves the district money. Serious infractions (fighting, threats, etc.) do result in official suspension. Unresponsive students can be moved to other schools or expelled.
5. Referrals—please remember if you write a student referral, you are required to call the parents. You are writing the referral and can answer the parents' questions firsthand. Administrators will also call parents, but we can only give secondhand information on the incident.
6. Academic Concerns—again, look through student CUM. This will contain test scores, report cards, and a student history. You may want to ask the grade level administrator to schedule a Student Study Team (SST). This will involve a meeting with the student, parents, administrators, students' teachers, and perhaps the psychologist

Conduct Code Procedures

(K) Hate Crime Reporting Procedures and Policies

Policy 5145.3: Nondiscrimination/Harassment

The Governing Board desires to provide a safe school environment that allows all students equal access to and opportunities in the district's academic, extracurricular, and other educational support programs, services, and activities. The Board prohibits, at any district school or school activity, unlawful discrimination, including discriminatory harassment, intimidation, and bullying targeted at any student, by anyone, based on the student's actual or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital or parental status, pregnancy, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression or genetic information; or association with a person or group with one or more of these actual or perceived characteristics.

(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 constituting unlawful discrimination or harassment 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 one of the categories listed above. Unlawful discrimination also occurs when prohibited conduct is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects a student's educational opportunities. Unlawful discrimination also includes disparate treatment of students based on one of the categories above with respect to the provision of opportunities to participate in school programs or activities or the provision or receipt of educational benefits or services.

The Board also prohibits any form of retaliation against any individual who reports or participates in the reporting of unlawful discrimination, files or participates in the filing of a complaint, or investigates or participates in the investigation of a complaint or report alleging unlawful discrimination. Retaliation complaints shall be investigated and resolved in the same manner as a discrimination complaint. The Superintendent or designee shall facilitate students' access to the educational program by publicizing the district's nondiscrimination policy and related complaint procedures to students, parents/guardians, and employees. In addition, the Superintendent or designee shall post the district's policies prohibiting discrimination, harassment, intimidation, and bullying and other required information on the district's web site in a manner that is easily accessible to parents/guardians and students, in accordance with law and the accompanying administrative regulation. The Superintendent or designee shall provide training and/or information on the scope and use of the policy and complaint procedures and take other measures designed to increase the school community's understanding of the requirements of law related to discrimination. The Superintendent or designee shall regularly review the implementation of the district's nondiscrimination policies and practices and, as necessary, shall take action to remove any identified barrier to student access to or participation in the district's educational program. The Superintendent or designee shall report the findings and recommendations to the Board after each review.

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 1330 - Use of Facilities)

(cf. 4131/4231/4331 - Staff Development)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

(cf. 6164.2 - Guidance/Counseling Services)

Regardless of whether a complainant complies with the writing, timeline, and/or other formal filing requirements, all complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, shall be investigated and prompt action taken to stop the discrimination, prevent recurrence, and address any continuing effect on students. Students who engage in unlawful discrimination, including discriminatory harassment, intimidation, bullying, or retaliation, 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. School personnel shall take immediate steps to intervene, when safe to do so, whenever site personnel witness an act of discrimination, harassment, intimidation, or bullying. Any employee who permits or engages in prohibited discrimination, including discriminatory harassment, intimidation, bullying, or retaliation, shall be subject to disciplinary action, up to and including dismissal.

(cf. 4118 - 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)

Policy REDLANDS UNIFIED SCHOOL DISTRICT

adopted: June 27, 1995 Redlands, California
revised: May 27, 2014
revised: September 13, 2017
revised: December 11, 2019
revised: January 12, 2022

(J) Procedures to Prepare for Active Shooters

Moore Middle School utilizes a Safe & Secure Mode is a security procedure used to reduce student and staff movement outside school buildings. This may be due to a medical emergency, area disturbance, active shooter etc. It is designed to allow for school to carry forward but have the ability to move to Lockdown quickly if needed. During the Safe & Secure mode, there is heightened vigilance on campus by all school staff. Generally, recesses and outdoor activities are reduced. Parents/guardians can have access to their student(s) and may check them out of school if they see fit to do so.

- o Teachers should continue teaching as normal
- o Allow students restroom use with clear administrator/ teacher direction
- o Increased available staff presence during passing periods and student dismissal
- o Lunch/activities in more secure area, unless site admin decides otherwise
- o Standard inclement weather schedule/routine in place, unless site administrator/designee decides otherwise
- o Perimeter gates, where applicable, will be locked and monitored by available staff, allowing for central access points
- o PE classes will be moved off all fields into more secure locations (e.g., gym, class, & MPR)

Lock Down is called when a law enforcement event is happening in the vicinity of a school. The law enforcement agency generally, but not always, contacts the school/district to encourage the school site to Lock Down as a precautionary measure. All Administrators are expected to place their school in Lock Down in this scenario.

- o Take a look outside your classroom and gather up any stray students in the hallways
- o Ensure that your door is locked
- o If windows are open, close them
- o Project a calm demeanor to help students remain calm. Reassure students that they are safe
- o Do not allow anyone to leave the classroom
- o Frequently check your emails for possible updates from your site administrators
- o If students are out on the playground or athletic fields, quickly move them to a secure classroom, locker room, or multi-purpose room

Critical Alert is called when a significant, threatening event is happening on campus or adjacent to campus that creates a potential danger to students and staff. While this may be communicated to the school by law enforcement, it may also be determined by school officials on the scene. Critical Alert assumes that everyone is prepared for a potential significant threat/event on campus.

- o Implement all items from Lock Down list above
- o Turn off or reduce lighting, so it will appear that the room is vacant
- o Keep all students sitting on the floor, away from the door or windows
- o Do not look out the windows
- o Cover window on the door (if one exists)
- o Advise the students that there is a serious situation, but you don't know what it is. Project a calm demeanor to help students remain calm. Reassure students that they are safe
- o Ensure that everyone in the room turns the ringer off on their cell phones
- o Do not allow students to talk on their cell phones (keep room as quiet as possible)
- o Do not call the office. They are in the midst of a problem and will not be able to answer all the calls which may tie up the phone system
- o Quietly take roll and make a list of missing students and any extra students that are in your room. Email this list to your administrators and school site secretaries
- o Do not evacuate students until you are told to, even if the fire bells go off. If, in fact, there is a need for a fire evacuation, you will be notified via the PA system, email, or phone call
- o Do not open the door, even if someone knocks and claims to be a staff member (Administrator/custodian will have a master key)
- o If students are out on the PE field, do not return them to the locker room. Move them to a safe place (the farthest part of the campus)

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, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any other student or school personnel, or retaliate against them for filing a complaint or participating in the complaint resolution process.

The Superintendent or designee shall develop strategies for addressing bullying in district schools with the involvement of students, parents/guardians, and staff. As appropriate, the Superintendent or designee may also collaborate with social services, mental health services, law enforcement, courts, and other agencies and community organizations in the development and implementation of effective strategies to promote safety in schools and the community.

Such strategies shall be incorporated into the comprehensive safety plan and, to the extent possible, into the local control and accountability plan and other applicable district and school plans.

Any complaint of bullying shall be investigated and, if determined to be discriminating, resolved in accordance with law and the district's uniform complaint procedures specified in AR 1312.3 - Uniform Complaint Procedures. If, during the investigation, it is determined that a complaint is about nondiscriminatory bullying, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

Any employee who permits or engages in bullying or retaliation related to bullying shall be subject to disciplinary action, up to and including dismissal.

At Moore Middle School, the Redlands Unified School District Bullying/Harassment Reporting Form (linked on school and district website and available in the Moore Middle School Administration Office) is utilized to report a possible incident of bullying/harassment as defined in the Redlands Unified School District's Policy Prohibiting Bullying /Harassment. Any student/adult can report bullying/harassment by talking to an administrator and/or completing the form and returning it to a principal, assistant principal, campus safety officer, counselor or other adult staff member on campus. Any allegation of any type of bullying is immediately investigated with a notification made to the reporting party within ten school days of making the report.

Safety Plan Review, Evaluation and Amendment Procedures

Safety Plan is reviewed by Safety Committee comprised of staff, law enforcement/parent, and administration
Plan is then reviewed by School Site Council and approved
Staff is then given copy of Safety Plan for their review.

Amendments can be done through School Site Council should either a parent or staff member point out an item to be reviewed.

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 Council	TBD	Agenda and Minutes; meeting in H-6; motion by Martin second by Jackson, approved by members
Staff Review	Safety Committee Meetings	Zoom meetings on the 1st Wednesday of the month.
Staff Approval (Safety Committee Review)	September 27, 2023	Zoom meeting on September 27, 2023
Communications to all staff and stakeholders	October 9, 2023	Emailed to all staff

Emergency Response Guidelines

Step One: Identify the Type of Emergency

Determining the type of emergency will assist the commander/administrator in making the appropriate decision to keep the campus safe. The response to a fire is drastically different than responding to an active shooter. The type of emergency may lead to evacuation, shelter in place, or lockdown as well as which agency to contact.

Step Two: Identify the Level of Emergency

Determine the size and immediacy of the emergency will determine the level. The site leader will determine if it is a classroom only, a building only, an area only (ie. playground), the whole school, etc.

Step Three: Determine the Immediate Response Action

With safety of staff and students in mind, site administration will determine immediate response based on protocol for the specific emergencies.

Step Four: Communicate the Appropriate Response Action

Administrators/Commanders will communicate to the necessary emergency responders via phone. Administrators/Commanders will utilize a variety of communication tools to notify staff and emergency participants such as: the bell system, intercom system, emails, the Raptor app. Site administrators will communicate with the district office staff via the emergency radio. Communication with families will be done via social media, the site website, Aeries communication, Parent Square.

Types of Emergencies & Specific Procedures

Earthquake

Earthquake Emergency

Staff should follow the evacuation routes as described on the Moore Evacuation maps provided in each classroom and office. In the event of an earthquake, the school will need to declare a Stage 2 Emergency and implement the following procedures:

What to Do:

- 1) Drop, Cover, and Hold - Teachers should discuss this with their students before drills in anticipation of a major earthquake. Flyers are provided to demonstrate appropriate technique.
- 2) Line Up - When the tremors subside and the staff member believes it is safe to begin the evacuation process, they should direct their students to walk to the door to form an orderly line for evacuation purposes.
- 3) Evacuate - Do not wait for an all-call system, as the school will likely have lost power. Staff should use their own judgment or listen for directions. Students should move to the designated Earthquake Emergency Evacuation Area in a silent, straight line.

When leaving their classroom, staff should follow these steps:

Bring their attendance roster, emergency backpack, and/or bucket.

Leave your classroom door OPEN.

Take attendance using the Emergency Status Report form and/or Raptor once they are safely away from the building.

Hold their Emergency Status Report form until it is picked-up by a student runner.

- 4) All Clear - The "All Clear" notification will be given by an Moore Middle School administrator via bullhorn/portable speaker or student runners, and will include instructions on how/where teachers and their students should proceed next.

Fire in Surrounding Area

Fire In Surrounding Area (Stage 1 Emergency):

In the event of an actual fire near a classroom, the following should be accomplished:

Evacuate the classroom (concurrently with reporting if possible)

Pull the fire alarm in your building and institute a stage one evacuation.

Small fires can be put out with the fire extinguisher. Use the PASS method.

P ull the pin to activate the extinguisher.
A im at the base of the fire.
S queeze the trigger to discharge.
S weep the extinguisher from side to side.

If the fire continues to grow despite your efforts, GET OUT or exit campus!
Call 911 and report the emergency.
Listen for further instruction by bullhorn, intercom, Raptor Alert, messenger.
If you are in class and hear the fire alarm, follow the Stage 1 Protocols & Procedures.

Fire on School Grounds

Fire In the Classroom (Stage 1 Emergency):

In the event of an actual fire in a classroom, the following should be accomplished:

Evacuate the classroom (concurrently with reporting if possible)

Small fires can be put out with the fire extinguisher. Use the PASS method.

P ull the pin to activate the extinguisher.
A im at the base of the fire.
S queeze the trigger to discharge.
S weep the extinguisher from side to side.

If the fire continues to grow despite your efforts, GET OUT!
Pull the fire alarm in your building and institute a stage one evacuation.
Call 911 and report the emergency.
Then call 43911 and report the emergency to Moore administration and security.
Listen for further instruction by bullhorn, intercom, Raptor Alert, or messenger.
If you are in class and hear the fire alarm, follow the Stage 1 Protocols & Procedures

Pandemic

Blood Borne Pathogen Incident Reporting Form and Exposure Control Plan

Policy 5141.22: Infectious Diseases

The Governing Board desires to protect students from risks posed by exposure to infectious diseases while providing an appropriate education for all students.

The Superintendent or designee shall determine whether to admit a student with an infectious disease, and shall exclude students only in accordance with law. In making this determination, he/she shall consult the student's parents/guardians, the student's physician and/or the county health department, in accordance with law and consistent with confidentiality provisions. Because bloodborne pathogens such as hepatitis B virus, hepatitis C virus and human immunodeficiency virus (HIV) are not casually transmitted, the sole presence of bloodborne pathogens is not sufficient reason to exclude students from attending school.

cf. 5112.2 - Exclusions from Attendance)
(cf. 5141.26 - Tuberculosis Testing)
(cf. 5141.3 - Health Examinations)
(cf. 6158 - Independent Study)
(cf. 6159 -Individualized Education Program)
(cf. 6183 - Home/Hospital Instruction)

Parents/guardians are encouraged to inform the Superintendent or designee if their child has an infectious disease so that school staff may work cooperatively with the student's parents/guardians to minimize the child's exposure to other diseases in the school setting. The Superintendent or designee shall ensure that student confidentiality rights are strictly observed in accordance with law. No district employee shall release medical information, including knowledge of a bloodborne pathogen infection, without written consent from the parent/guardian or adult student. Such information shall be shared only with those persons specifically named in the written permission.

(cf. 5125 - Student Records)

(cf. 5022 -Student and Family Privacy Rights)

The Board requires students and staff to routinely observe universal precautions to prevent exposure to bloodborne pathogens and to prevent the spread of all infectious disease.

cf. 4119.42/4219.42/4319.42 -Exposure Control Plan for Bloodborne Pathogens)

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)

(cf. 5141.23 - Infectious Disease Prevention)

The Superintendent or designee shall ensure that the district's health education program provides information about the nature of bloodborne pathogens and their transmission.

(cf. 5141.6 - Student Health and Social Services)

(cf. 6142.2 - Sexual Health and HIV/AIDS Prevention Instruction)

(cf. 6142.8 - Comprehensive Health Education)

Blood Borne Pathogens - Safety Practices

Procedures and Regulations

1. General

1.1 While recognizing that both students and employees diagnosed with an infectious blood borne disease are entitled to a confidential relationship between themselves, the medical community and/or other agencies, the Board of School Trustees encourages these individuals to meet with the School Principal and/or Superintendent of Schools to discuss their disease and immediate and future needs.

1.2 Assessment

2. Students:

2.1. The Superintendent (or designate) will be informed, by the school principal as soon as is known, of any student infected with an infectious blood borne disease.

2.2. A Risk Assessment will be conducted using a team approach including the personal physician, public health personnel, the parent or guardian, and school district personnel as appropriate and will make recommendations about the type of educational and care setting based on the following:

- a. Behavior, neurological development and physical condition of the child;
- b. Type of interaction expected with others.
- c. What the potential is for exposure
- d. Areas for potential for exposure
- e. How exposure may happen
- f. Who needs to know?
- g. What will happen if there is a risk of exposure?

2.3. The team will consider the risk to others in the workplace, whether or not the individual is healthy enough to continue to attend school, and what precautions should be taken to ensure the safety and health of others.

a. The identity of infected students will remain confidential and restricted to those who need to know or are required to be informed.

2.4. Decisions on attendance at school are dependent on the circumstances of each individual case. Regular evaluation of the appropriateness of attendance will be conducted.

2.5. The Board will be notified immediately when the team considers the health condition of a student to be a danger to the immediate health and welfare of a school, its students or employees of the Board.

a. Upon being notified of the team's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

3. Employees

3.1. The Superintendent will be informed, by district staff as soon as is known, of any employee infected with an infectious blood borne disease.

3.2. Employees with an infectious blood borne disease, who are able to carry out the essential duties of their jobs in a satisfactory manner without posing a health or safety risk to themselves or others, will be entitled to continue their work.

3.3. Decisions regarding potential health or safety hazards will be made on a case-by-case basis in consultation with the employee, the personal physician and district personnel as appropriate.

3.4. The identity of infected employees will remain confidential and restricted to those who need to know or are required to be informed.

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4. Hygienic Safety Practices

4.1. All employees will follow "Universal Infection Control Precautions" by assuming that blood and other body fluids from all individuals are potentially infectious. These precautions include:

- a. Routinely using gloves when anticipating contact with blood
- b. Immediately washing hands and other skin surfaces after removal of gloves and/or contact with blood

4.2. Schools will be provided with appropriate protective equipment including disposable waterproof gloves (natural rubber latex, neoprene, nitrile, or vinyl), tongs or pliers and proper sharps containers.

4.3. Schools' medical room mattresses will be either vinyl-coated beds or cloth mattress with a protective vinyl (plastic) covering so that they can be cleaned as needed with a bleach solution.

4.4. Blankets can be cleaned as needed by forwarding them, in a clearly labeled plastic bag, to the Assistant Supervisor Operations at the Facilities Office.

5. Universal Precautions

5.1. Universal Precautions to prevent transmission of blood-borne disease will be followed. Universal Precautions is the term for infection control measures endorsed by the Canadian Centre for Occupational Health and Safety for workers who might come into contact with blood and other body fluids. In summary they include:

- a. Wash hands for 30 seconds after contact with blood and other body fluids contaminated with blood.

- b. Wear disposable latex gloves when you encounter blood, body fluids, or when cleaning cuts, scrapes or wounds. Wash your hands as soon as you remove your gloves. Dispose gloves in a plastic bag.
- c. Use disposable absorbent material like paper towels to stop bleeding.
- d. Discard bloodstained material in a sealed plastic bag and deposit in the garbage. Label as containing blood-tainted material.
- e. Cover cuts or scrapes with a bandage until healed.
- f. Immediately protect staff and students from coming in contact with blood-soiled surfaces. The area must be disinfected with a fresh solution of one part bleach and nine-parts water (10% bleach solution).

Mops or brushes used for cleaning should be soaked in a bleach solution for 20 minutes.

(Note: The custodial department will provide each school with the product for dissolving in water to provide the bleach solution.)

6. Identification of Risks of Occupational Exposure

6.1. In accordance with the Occupational Health and Safety Regulations (section 6.35), the district's Health & Safety Coordinator will develop and maintain a list of positions and/or tasks and procedures where there is a potential for occupational exposure to a blood borne pathogen.

6.2. Employees who have, or may have, occupational exposure to the hepatitis B virus, will upon request, receive a hepatitis B vaccination (section 6.39, OH&S Regs).

6.3. Employees who may have been exposed to a blood borne pathogen in an exposure incident will be advised to immediately seek medical attention

Blood Borne Pathogen Incident Reporting Form and Exposure Control Plan

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(cf. 5112.2 - Exclusions from Attendance)
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(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)
(cf. 4119.43/4219.43/4319.43 - Universal Precautions)
(cf. 5141.23 - Infectious Disease Prevention)

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Blood Borne Pathogens - Safety Practices

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 - b. Immediately washing hands and other skin surfaces after removal of gloves and/or contact with blood
- 4.2. Schools will be provided with appropriate protective equipment including disposable waterproof gloves (natural rubber latex, neoprene, nitrile, or vinyl), tongs or pliers and proper sharps containers.
- 4.3. Schools' medical room mattresses will be either vinyl-coated beds or cloth mattress with a protective vinyl (plastic) covering so that they can be cleaned as needed with a bleach solution.
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- 5.1. Universal Precautions to prevent transmission of blood-borne disease will be followed. *Universal Precautions* is the term for infection control measures endorsed by the Canadian Centre for Occupational Health and Safety for workers who might come into contact with blood and other body fluids. In summary they include:
- a. Wash hands for 30 seconds after contact with blood and other body fluids contaminated with blood.
 - b. Wear disposable latex gloves when you encounter blood, body fluids, or when cleaning cuts, scrapes or wounds. Wash your hands as soon as you remove your gloves. Dispose gloves in a plastic bag.
 - c. Use disposable absorbent material like paper towels to stop bleeding.
 - d. Discard bloodstained material in a sealed plastic bag and deposit in the garbage. Label as containing blood-tainted material.
 - e. Cover cuts or scrapes with a bandage until healed.
 - f. Immediately protect staff and students from coming in contact with blood-soiled surfaces. The area must be disinfected with a fresh solution of one part bleach and nine-parts water (10% bleach solution).

Mops or brushes used for cleaning should be soaked in a bleach solution for 20 minutes.

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- 6.2. Employees who have, or may have, occupational exposure to the hepatitis B virus, will upon request, receive a hepatitis B vaccination (section 6.39, OH&S Regs).
- 6.3. Employees who may have been exposed to a blood borne pathogen in an exposure incident will be advised to immediately seek medical attention



3 LEVELS OF STUDENT SAFETY IN A CRISIS

Safe and Secure Mode

(Limit Outside Movement)

YELLOW

Safe and Secure Mode is a security procedure used to reduce student and staff movement outside school buildings. This may be due to a medical emergency, area disturbance, etc. It is designed to allow for school to carry forward but have the ability to move to Lockdown quickly if needed. During the Safe & Secure mode, there is heightened vigilance on campus by all school staff.

Generally, recesses and outdoor activities are reduced. Parents/guardians can have access to their student(s) and may check them out of school if they see fit to do so.

- Teachers should continue teaching as normal
- Allow students restroom use with clear administrator/ teacher direction
- Increased available staff presence during passing periods and student dismissal
- Lunch/activities in more secure area, unless site admin decides otherwise
- Standard inclement weather schedule/routine in place, unless site administrator/designee decides otherwise
- Perimeter gates, where applicable, will be locked and monitored by available staff, allowing for central access points
- PE classes will be moved off all fields into more secure locations (e.g., gym, class, & MPR)

Lock Down

(Prevent All Outside Movement)

ORANGE

Lock Down is called when a law enforcement event is happening in the vicinity of a school. The law enforcement agency generally, but not always, contacts the school/district to encourage the school site to Lock Down as a precautionary measure. All Administrators are expected to place their school in Lock Down in this scenario.

- Take a look outside your classroom and gather up any stray students in the hallways
- Ensure that your door is locked
- If windows are open, close them
- Project a calm demeanor to help students remain calm. Reassure students that they are safe
- Do not allow anyone to leave the classroom
- Frequently check your emails for possible updates from your site administrators
- If students are out on the playground or athletic fields, quickly move them to a secure classroom, locker room, or multi-purpose room

Critical Alert

(Locks, Lights, Out of Sight)

RED

Critical Alert is called when a significant, threatening event is happening on campus or adjacent to campus that creates a potential danger to students and staff. While this may be communicated to the school by law enforcement, it may also be determined by school officials on the scene. Critical Alert assumes that everyone is prepared for a potential significant threat/event on campus.

- Implement all items from Lock Down list above
- Turn off or reduce lighting, so it will appear that the room is vacant
- Keep all students sitting on the floor, away from the door or windows
- Do not look out the windows
- Cover window on the door (if one exists)
- Advise the students that there is a serious situation, but you don't know what it is. Project a calm demeanor to help students remain calm. Reassure students that they are safe
- Ensure that everyone in the room turns the ringer off on their cell phones
- Do not allow students to talk on their cell phones (keep room as quiet as possible)
- Do not call the office. They are in the midst of a problem and will not be able to answer all the calls which may tie up the phone system
- Quietly take roll and make a list of missing students and any extra students that are in your room. Email this list to your administrators and school site secretaries
- Do not evacuate students until you are told to, even if the fire bells go off. If, in fact, there is a need for a fire evacuation, you will be notified via the PA system, email, or phone call
- Do not open the door, even if someone knocks and claims to be a staff member (Administrator/custodian will have a master key)
- If students are out on the PE field, do not return them to the locker room. Move them to a safe place (the farthest part of the campus)

Air Quality Guide for Ozone

Ground-level ozone is one of our nation's most common air pollutants. Use the chart below to help reduce your exposure and protect your health. For your local air quality, visit www.airnow.gov

Air Quality Index	Who Needs to be Concerned?	What Should I Do?
Good (0-50)		It's a great day to be active outside.
Moderate (51-100)	Some people who may be unusually sensitive to ozone.	Unusually sensitive people: Consider reducing prolonged or heavy outdoor exertion. Watch for symptoms such as coughing or shortness of breath. These are signs to take it easier. Everyone else: It's a good day to be active outside.
Unhealthy for Sensitive Groups (101-150)	Sensitive groups include people with lung disease such as asthma, older adults, children and teenagers, and people who are active outdoors.	Sensitive groups: Reduce prolonged or heavy outdoor exertion. Take more breaks, do less intense activities. Watch for symptoms such as coughing or shortness of breath. Schedule outdoor activities in the morning when ozone is lower. People with asthma should follow their asthma action plans and keep quick-relief medicine handy.
Unhealthy (151-200)	Everyone	Sensitive groups: Avoid prolonged or heavy outdoor exertion. Schedule outdoor activities in the morning when ozone is lower. Consider moving activities indoors. People with asthma , keep quick-relief medicine handy. Everyone else: Reduce prolonged or heavy outdoor exertion. Take more breaks, do less intense activities. Schedule outdoor activities in the morning when ozone is lower.
Very Unhealthy (201-300)	Everyone	Sensitive groups: Avoid all physical activity outdoors. Move activities indoors or reschedule to a time when air quality is better. People with asthma , keep quick-relief medicine handy. Everyone else: Avoid prolonged or heavy outdoor exertion. Schedule outdoor activities in the morning when ozone is lower. Consider moving activities indoors.
Hazardous (301-500)	Everyone	Everyone: Avoid all physical activity outdoors.

Note: If you don't have an air conditioner, staying inside with the windows closed may be dangerous in extremely hot weather. In these cases, seek alternative shelter.

Key Facts to Know About Ozone:

- Ozone in the air we breathe can cause serious health problems, including breathing difficulty, asthma attacks, lung damage, and early death.
- Ozone forms in the sun, usually on hot summer days. Ozone is worse in the afternoon and early evening, so plan outdoor activities for the morning.
- You can reduce your exposure to ozone and still get exercise! Use the Air Quality Index (AQI) at www.airnow.gov to plan your activity.

What is ozone?

Ozone is a colorless gas that can be good or bad, depending on where it is. Ozone in the stratosphere is good because it shields the earth from the sun's ultraviolet rays. Ozone at ground level, where we breathe, is bad because it can harm human health.

Ozone forms when two types of pollutants (VOCs and NOx) react in sunlight. These pollutants come from sources such as vehicles, industries, power plants, and products such as solvents and paints.

Why is ozone a problem?

Ozone can cause a number of health problems, including coughing, breathing difficulty, and lung damage. Exposure to ozone can make the lungs more susceptible to infection, aggravate lung diseases, increase the frequency of asthma attacks, and increase the risk of early death from heart or lung disease.

Do I need to be concerned?

Even healthy adults can experience ozone's harmful effects, but **some people may be at greater risk**. They include:

- People with lung disease such as asthma
- Children, including teenagers, because their lungs are still developing and they breathe more air per pound of body weight than adults
- Older adults
- People who are active outdoors, including outdoor workers

How can I protect myself?

Use the Air Quality Index (AQI) to plan outdoor activities. To keep the AQI handy, sign up for EnviroFlash emails, get the free AirNow app, or install the free widget on your website. Find all of these tools at www.airnow.gov.

Stay healthy: exercise, eat a balanced diet, and keep asthma under control with your asthma action plan.

When you see that the AQI is unhealthy, take simple steps to reduce your exposure:

- Choose a less-strenuous activity
- Take more breaks during outdoor activity
- Reschedule activities to the morning or to another day
- Move your activity inside where ozone levels are usually lower

Can I help reduce ozone?






Yes! Here are a few tips.

- Turn off lights you are not using
- Drive less: carpool, use public transportation, bike or walk
- Keep your engine tuned, and don't let your engine idle
- When refueling: stop when the pump shuts off, avoid spilling fuel, and tighten your gas cap
- Inflate tires to the recommended pressure
- Use low-VOC paint and cleaning products, and seal and store them so they can't evaporate
- Watch for Air Quality Action Days in your area



Air Quality and Outdoor Activity Guidance for Schools

Regular physical activity — at least 60 minutes each day — promotes health and fitness. The table below shows when and how to modify outdoor physical activity based on the Air Quality Index. This guidance can help protect the health of all children, including teenagers, who are more sensitive than adults to air pollution. Check the air quality daily at www.airnow.gov.

Air Quality Index	Outdoor Activity Guidance
 green GOOD	Great day to be active outside!
 yellow MODERATE	Good day to be active outside! Students who are unusually sensitive to air pollution could have symptoms.*
 orange UNHEALTHY FOR SENSITIVE GROUPS	It's OK to be active outside, especially for short activities such as recess and physical education (PE). For longer activities such as athletic practice, take more breaks and do less intense activities. Watch for symptoms and take action as needed.* Students with asthma should follow their asthma action plans and keep their quick-relief medicine handy.
 red UNHEALTHY	For all outdoor activities , take more breaks and do less intense activities. Consider moving longer or more intense activities indoors or rescheduling them to another day or time. Watch for symptoms and take action as needed.* Students with asthma should follow their asthma action plans and keep their quick-relief medicine handy.
 purple VERY UNHEALTHY	Move all activities indoors or reschedule them to another day.

* Watch for Symptoms

Air pollution can make asthma symptoms worse and trigger attacks. Symptoms of asthma include coughing, wheezing, difficulty breathing, and chest tightness. Even students who do not have asthma could experience these symptoms.

If symptoms occur:

The student might need to take a break, do a less intense activity, stop all activity, go indoors, or use quick-relief medicine as prescribed. If symptoms don't improve, get medical help.

Go for 60!

CDC recommends that children get 60 or more minutes of physical activity each day. www.cdc.gov/healthyyouth/physicalactivity/guidelines.htm

Plan Ahead for Ozone

There is less ozone in the morning. On days when ozone is expected to be at unhealthy levels, plan outdoor activities in the morning.

Questions and Answers

How long can students stay outside when the air quality is unhealthy?

There is no exact amount of time. The worse the air quality, the more important it is to take breaks, do less intense activities, and watch for symptoms. Remember that students with asthma will be more sensitive to unhealthy air.

Why should students take breaks and do less intense activities when air quality is unhealthy?

Students breathe harder when they are active for a longer period of time or when they do more intense activities. More pollution enters the lungs when a person is breathing harder. It helps to:

- ✓ reduce the amount of time students are breathing hard (e.g., take breaks; rotate players frequently)
- ✓ reduce the intensity of activities so students are not breathing so hard (e.g., walk instead of run)

Are there times when air pollution is expected to be worse?

Ozone pollution is often worse on hot sunny days, especially during the afternoon and early evening. Plan outdoor activities in the morning, when air quality is better and it is not as hot.

Particle pollution can be high any time of day. Since vehicle exhaust contains particle pollution, limit activity near idling cars and buses and near busy roads, especially during rush hours. Also, limit outdoor activity when there is smoke in the air.

How can I find out the daily air quality?

Go to www.airnow.gov. Many cities have an Air Quality Index (AQI) *forecast* that tells you what the local air quality will be later today or tomorrow, and a *current* AQI that tells you what the local air quality is now. The AirNow website also tells you whether the pollutant of concern is ozone or particle pollution. Sign up for emails, download the free AirNow app, or install the free AirNow widget on your website. You can also find out how to participate (and register your school) in the School Flag Program (www.airnow.gov/schoolflag).

If students stay inside because of unhealthy outdoor air quality, can they still be active?

It depends on which pollutant is causing the problem:

Ozone pollution: If windows are closed, the amount of ozone should be much lower indoors, so it is OK to keep students moving.

Particle pollution: If the building has a forced air heating or cooling system that filters out particles then the amount of particle pollution should be lower indoors, and it is OK to keep students moving. It is important that the particle filtration system is installed properly and well maintained.

What physical activities can students do inside?

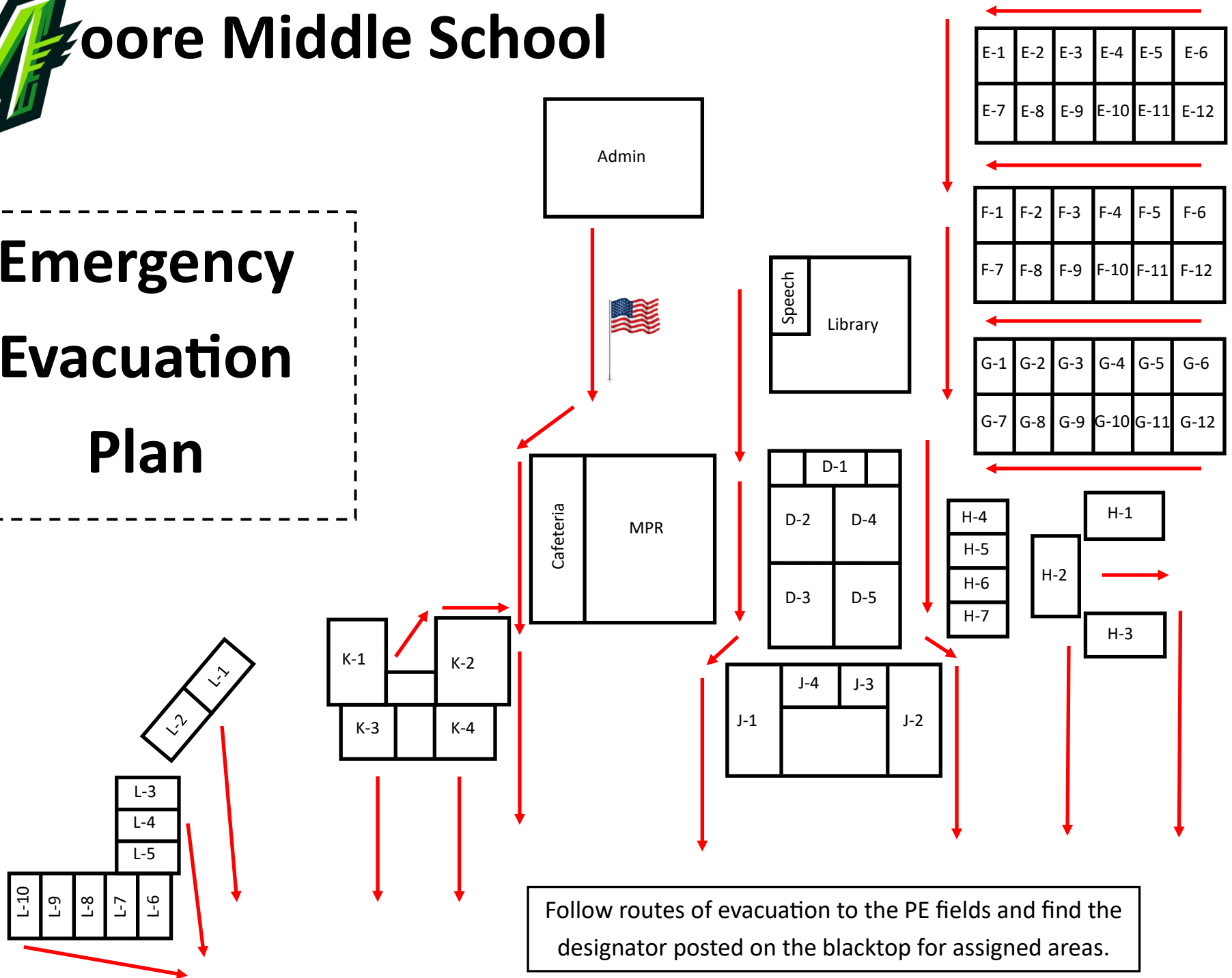
Encourage indoor activities that keep all students moving. Plan activities that include aerobic exercise as well as muscle and bone strengthening components (e.g., jumping, skipping, sit-ups, pushups). If a gymnasium or open space is accessible, promote activities that use equipment, such as cones, hula hoops, and sports balls. If restricted to the classroom, encourage students to come up with fun ways to get everyone moving (e.g., act out action words from a story). Teachers and recess supervisors can work with PE teachers to identify additional indoor activities.

What is an asthma action plan?

An asthma action plan is a written plan developed with a student's doctor for daily management of asthma. It includes medication plans, control of triggers, and how to recognize and manage worsening asthma symptoms. See www.cdc.gov/asthma/actionplan.html for a link to sample asthma action plans. When asthma is well managed and well controlled, students should be able to participate fully in all activities. For a booklet on "Asthma and Physical Activity in the School," see <http://www.nhlbi.nih.gov/health/resources/lung/asthma-physical-activity.htm>.

Moore Middle School

Emergency Evacuation Plan



The following **guidelines** for responding to high heat conditions or unhealthy air alerts have been developed. These guidelines are just that, guidelines. **Reason and good judgment** must be used at each site to protect students.

High Heat Conditions — Each site should have a thermometer in place and a person designated to read the outside temperature periodically on days of anticipated high heat. Or, go to www.weather.com to find out current conditions and anticipated weather conditions for our area. The web site will list the temperature and use the humidity factor to show what the weather “feels like.”

When temperatures are between 85° and 95° the principal or designated person shall evaluate conditions related to temperature such as shade structures, breeze factors, humidity, and pollutants. With direct sun, certain areas of the school site (i.e. blacktop or concrete areas) may increase heat exposure. The principal or his/her designee shall make a decision regarding a reduction in physical activities for the students.

When temperatures are **95° or above** the principal or his/her designee shall notify teachers and institute a reduction in exposure to the sun and outdoor physical activities. Outdoor physical activities should be limited to non-strenuous activities. Lunch should be provided under shade structures or in an air-conditioned building, with limited time given for free outdoor play. Teachers should encourage students to wear light clothing, remain in designated areas, reduce running/exertion activities, participate in “quiet” play, and drink large amounts of liquids.

Staff members should observe all students for symptoms of overheating. Students with special health issues affected by heat (i.e. asthma, cancer, heart or lung disease, high blood pressure) shall be identified at the site and given special consideration by school personnel. Signs or symptoms of heat exhaustion include body cold, skin clammy; ashen colored skin; physical exhaustion; dilated pupils; normal or subnormal temperature. If a student becomes overheated, he/she should be placed in a cool room, provided a cool cloth to the head, and offered cool liquids (preferable sports-type drink or juice, both of which contain some salt).

Call 911 for any student with the following signs or symptoms of **heat stroke**; body hot, skin hot, red and dry; irritability; pupils constricted; temperature elevated; pulse rapid and strong.

Unhealthy Air (Smog) Alerts — Unhealthy air (smog) episodes are defined as those identified and called by the South Coast Air Quality Management District (SCAQMD) when the ozone level ranges on an hourly average between 138 and 500 on the Pollutant Standards Index (PSI). Each site should have a designated person periodically evaluate the conditions related to unhealthy air on days when an Unhealthy Air Alert is anticipated. The ozone level ranges for our region can be obtained by visiting the following site: <http://www.aqmd.gov/home/tools/air-quality> (**we are areas 34 and 35**).

The following chart developed by the SCAQMD shows the various levels of smog episodes that are reported for the pollutant ozone. The protective actions listed will help reduce exposure to unhealthful levels of ozone. **Generally, in the event of an unhealthy air alert, outdoor activities should be scheduled for hours outside the peak period of ozone pollution.**

Health Categories	Ozone	Very Small Particles (PM2.5)	Small Particles (PM10)	Carbon Monoxide (CO)
VERY UNHEALTHY (201 to 300)	Active children and adults, and people with respiratory disease, such as asthma, should avoid all outdoor	People with respiratory or heart disease, the elderly and children should avoid any outdoor activity; everyone	People with respiratory disease, such as asthma, should avoid any outdoor activity; everyone else,	People with cardiovascular disease, such as angina, should avoid exertion and sources of CO,

	exertion (participation in strenuous sports activities or exercise); everyone else, especially children, should limit outdoor exertion.	else should avoid prolonged exertion.	especially the elderly and children, should limit outdoor exertion.	such as heavy traffic.
UNHEALTHY (151 to 200)	Active children and adults, and people with respiratory disease, such as asthma, should avoid prolonged outdoor exertion; everyone else, especially children, should limit prolonged outdoor exertion.	People with respiratory or heart disease, the elderly and children should avoid prolonged exertion; everyone else should limit prolonged exertion.	People with respiratory disease, such as asthma, should avoid outdoor exertion; everyone else, especially the elderly and children, should limit prolonged outdoor exertion	People with cardiovascular disease, such as angina, should limit moderate exertion and avoid sources of CO, such as heavy traffic.
UNHEALTHY FOR SENSITIVE GROUPS (101 to 150)	Active children and adults, and people with respiratory disease, such as asthma, should limit prolonged outdoor exertion.	People with respiratory or heart disease, the elderly and children should limit prolonged exertion.	People with respiratory disease, such as asthma, should limit outdoor exertion.	People with cardiovascular disease, such as angina, should limit heavy exertion and avoid sources of CO, such as heavy traffic.
MODERATE (51 TO 100)	Unusually sensitive people should consider limiting prolonged outdoor exertion	None	None	None
GOOD (0 to 50)	None	None	None	None

Any student with heart or lung problems should be excused from participation in strenuous PE activities and provided with a modified (non-strenuous) program whenever PSI ratings are above 138. Some students may also need a modified program when ratings are 100, which exceeds the federal clean air standard.

Heat Related Illnesses and First Aid Measures

The chart below shows **symptoms** and possible **first aid measures** to take if an employee with whom you are working shows signs of a heat-related illness.

	Symptoms	First Aid*
Heat stroke	<ul style="list-style-type: none"> Confusion Fainting Seizures Excessive sweating or red, hot, dry skin Very high body temperature 	<ul style="list-style-type: none"> Call 911 <p>While waiting for help:</p> <ul style="list-style-type: none"> Place worker in shady, cool area Loosen clothing, remove outer clothing Fan air on worker; cold packs in armpits Wet worker with cool water; apply ice packs, cool compresses, or ice if available Provide fluids (preferably water) as soon as possible Stay with worker until help arrives
Heat exhaustion	<ul style="list-style-type: none"> Cool, moist skin Heavy sweating Headache Nausea or vomiting Dizziness Light headedness Weakness Thirst Irritability Fast heart beat 	<ul style="list-style-type: none"> Have worker sit or lie down in a cool, shady area Give worker plenty of water or other cool beverages to drink Cool worker with cold compresses/ice packs Take to clinic or emergency room for medical evaluation or treatment if signs or symptoms worsen or do not improve within 60 minutes. Do not return to work that day
Heat cramps	<ul style="list-style-type: none"> Muscle spasms Pain Usually in abdomen, arms, or legs 	<ul style="list-style-type: none"> Have worker rest in shady, cool area Worker should drink water or other cool beverages Wait a few hours before allowing worker to return to strenuous work Have worker seek medical attention if cramps don't go away
Heat rash	<ul style="list-style-type: none"> Clusters of red bumps on skin Often appears on neck, upper chest, folds of skin 	<ul style="list-style-type: none"> Try to work in a cooler, less humid environment when possible Keep the affected area dry

Remember, if you are not a medical professional, use this information only as a guide to help



Redlands Unified School District
Report of Safety Condition/Concern

Site: _____

Date: _____

From: _____
(Name of individual submitting report)

To: _____
(Individual's immediate supervisor)

Brief summary of safety condition concern:

Signature: _____

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Response/Resolution:

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Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## **STUDENT REUNIFICATION PLAN**

Reunification: *“The process used to assure the return of the students in your care to an authorized adult in any circumstance other than your expected ‘End-of-Day’ procedure while providing positive documentation of that action.”* - The Idaho School Safety and Security Program.

The purpose of reunification is to provide a standard process for the orderly, coordinated, and documented return of students to authorized people in unusual circumstances. A wide variety of situations or events could require a school to institute reunification operations: including utility outage, flood, seismic activity, severe weather, acts of violence, terrorist activity or civil disobedience. Any abnormal or unexpected release of students will require some elements of reunification.

### **Two-Station Process:**

Moore Middle School will use a two-station system. The operational concept is: one intake location for requesting a student, the “Request Station”. A second at the exit, “the Release Station,” for the return of the student. Students are held in a third location, the “Secure Student Holding” area, physically separate but adjacent to the request and return stations. The three separate locations in the two-station process provide flexibility and allow for enhanced security, improved crowd control, positive student accountability, and effective record keeping.

Please note that Reunification implementation will differ with every situation and all MMS staff will need to be familiar with the plan below, but will also need to be ready to adjust and adapt as dictated by the situation.

### **Request Team Operations:**

#### **1. Greeters:**

- a. Greet and calm parents/guardians.

- b. Communicate with all parents/guardians to ensure that they understand the steps needed to reunify with their student(s) and have the proper ID needed to complete their request.

**2. Request Station:**

- a. Parent/Guardian requests student.
  - i. Assist parents/guardians who need access to translated instructions.
- b. Requester's identification and authorization verified.
  - i. Once verified, authorize the release of the student(s) and complete the Release Ticket and provide ticket copy to parent/guardian.
  - ii. [Emergency Reunification Student Release Ticket](#)
- c. Route to Release Station
- d. Student status verified.
  - i. Parents/guardians of missing/injured students routed to the Family Support Station.
- e. Process documented; records filed.

**3. Student Status Station:**

- a. Account for all students.
  - i. This station accounts for students in classrooms, designated secure holding area(s), absent, self-evacuated, and injuries/fatalities/missing.
  - ii. Student Status Station Team will consist of:
    - 1. Aeries Support members to assist Request Station Team
    - 2. Email Communication members
  - iii. Student status reported verbally to the Request Station and and/or the Family Support Station.

**4. Family Support Station:**

- a. Notify parent/guardian of missing, injured, or deceased students.
- b. Staffed by School/District officials, Crisis Response team members, and RCSS team members.

**5. Runners:**

- a. Locate requested student.
- b. Submit request for student.
  - i. If in classrooms, will call room directly for student(s) to be sent to the Student Release Station.
  - ii. If in a designated holding building, radio building for student(s) to be sent to the Student Release Station.

- iii. If no power or communication devices, proceed on foot to the appropriate holding area to escort student(s) to the Student Release Station.

**6. Security:**

- a. Maintain crowd control.
- b. Supervise parent/guardian parking.
- c. Provide directions and assist with movement through the process.
- d. Provide a secure environment for Request Team operations.

**Release and Supervision Team Operations:**

**7. Student Release Station:** (manned by school staff with familiarity of both students and families when possible)

- a. Reunite student and parent/guardian
- b. Route out of the immediate area
- c. Retain and file release paperwork

**8. Student Supervision:**

- a. Maintain classroom unit and accountability if possible
- b. Student care
- c. Bathroom access
- d. Snacks and drinks
- e. Entertainment (depending on the time required and age of the student population)
- f. Student support
- g. General support of anxious students (school staff)
- h. Specific support for traumatized students (Mental Health) as required by the incident
- i. Student security
  - i. Provide a secure student environment
  - ii. Allow ingress and egress of only authorized persons.
  - iii. Maintain documentation of students leaving secure holding areas or classrooms.

**9. Student and Staff Wellness Unit:**

- a. Support students who might need wellness assistance during the reunification process.
- b. Support staff who might need wellness assistance during the reunification process.
- c. Work with RUSD and outside agencies to support all students and staff after a critical event and during the reunification process.

**10. Security:**

- a. Maintain crowd control
- b. Provide directions and assist with movement through the process
- c. Provide a secure environment for Release and Supervision Team operations.
- d. Monitor and secure the movement of all students to the Student Release Station.

**Reunification Materials:**

[RHS Incident Command Structure](#)

[Emergency Reunification Student Release Ticket](#)

[MMS Reunification Flowchart](#)

# WILDFIRE SMOKE FACTSHEET

## Protecting Children from Wildfire Smoke and Ash



### Background

- Children are especially at risk for health effects from exposure to wildfire smoke and ash, mostly because their lungs are still growing.
- Wildfire concerns include the fire itself, the smoke and ash, and the chemicals from materials that have burned, such as furniture.
- Smoke can travel hundreds of miles from the source of a fire. Pay attention to local air quality reports during fire season, even if no fire is nearby.

### Health Effects from Wildfire Smoke and Ash

- Children who breathe in wildfire smoke and ash can have chest pain and tightness; trouble breathing; wheezing; coughing; nose, throat, and eye burning; dizziness; or other symptoms.
- Children with asthma, allergies, or chronic health issues may have more trouble breathing when smoke or ash is present.

### Preparing for Wildfires

- Pay attention to local air quality reports. Stay alert to smoke-related news coverage and public health advisories.
- Look up your local [Air Quality Index \(AQI\)](#) on the [AirNow](#) ([www.airnow.gov](http://www.airnow.gov)) web site.
- If [Enviroflash](#) is available for your area, sign up for air quality alerts.  
(<http://www.enviroflash.info/>).

- Create a "clean room" in your home. Choose a room with few windows and doors. Buy a portable air cleaner you can use in this room. Never use an ozone-generating air cleaner.
- Stock up on food, medicine and child care supplies before the threat of a wildfire.
- Remember that you may need to leave your home. Plan for it and prepare your children.

### During Wildfires

- Continue to listen to local reports and public health warnings.
- Keep children indoors with the doors and windows closed. Use your "clean room". If you have an air conditioner, run it with the fresh-air intake closed to keep outdoor smoke from getting indoors. Use your portable air cleaner as well. Reduce health risks by avoiding strenuous activities.
- Keep the indoor air as clean as possible. Do not smoke. Do not use gas, propane, or wood-burning stoves, fireplaces, or candles. Never use ozone-generating air cleaners. Never use natural gas or gasoline-powered generators indoors. Do not use spray cans. Do not fry or broil meat. Do not vacuum. All of these can lead to poor air quality.
- A good time to open windows to air out the house and clean away dust indoors is once air quality improves (check AirNow for updates).
- Use common sense to guide your child's activity. If it looks or smells smoky outside, if local air quality is reported as poor, or if local officials are giving health warnings, wait until air quality improves before your family is active outdoors.

## Special considerations:

- If your child has any problem breathing, is very sleepy, refuses food and water, or other health concerns, reduce his/her exposure to smoke and seek medical help right away.
- If your child has asthma, allergies, or a chronic health condition, he/she is at high risk from health effects related to wildfire smoke and ash. Seek medical advice as needed. For children with asthma, follow the asthma action plan.
- Do not rely on masks for protection from smoke. Paint, dust and surgical masks, even N95 masks, are not made to fit children and will not protect children from breathing wildfire smoke. Humidifiers or breathing through a wet washcloth do not prevent breathing in smoke.

## Evacuation

- Seek shelter in another place (e.g., public air shelter) if your family does not have an air conditioner OR air cleaner OR if it is too warm

in your home to stay inside with the windows closed. Plan to take the quickest route to the shelter to limit exposure to smoke.

- Bring all medication (taken by each family member) with you.
- Reduce smoke in your vehicle by closing the windows and vents and operating the air conditioning with the fresh intake closed to keep outdoor smoke from getting into car. Never leave children in a car or truck alone.

## After a Wildfire

- Make sure ash and debris have been removed before bringing your child back to home or school.
- Children should not be doing any cleanup work. Fires may deposit large amounts of ash and dust with harmful chemicals.

Avoid bringing polluted ash and dust back to areas used by children (such as a home or car). Remove shoes at the doorway, wash clothing separately, and change out of clothing before you have contact with your children.

## For more information:

**Learn more about wildfire smoke:** *Wildfire Smoke, A Guide for Public Health Officials:*

[https://www3.epa.gov/airnow/wildfire\\_may2016.pdf](https://www3.epa.gov/airnow/wildfire_may2016.pdf)

**Get air quality information:** Check the [airnow.gov](https://www.airnow.gov) website, or your state air quality agency's website.

**Air Quality Flag Program:** This visual tool alerts schools and organizations and their communities to the local air quality forecast. <https://airnow.gov/flag>

**Learn about home air cleaners:** <https://www.epa.gov/indoor-air-quality-iaq/guide-air-cleaners-home>

**Find certified air cleaning devices:** <http://www.arb.ca.gov/research/indoor/aircleaners/certified.htm>

**Contact Poison Control at 1-800-222-1222** for emergency concerns regarding ingestion or exposure to hazards.

**Contact your Pediatric Environmental Health Specialty Unit** with children's environmental health questions: [www.pehsu.net](http://www.pehsu.net)

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This factsheet is dedicated in memory of Dr. James M. Seltzer as well as the first responders and others who have been affected by wildfires.



# Comprehensive School Safety Plan

**2024-2025  
School Year**

**School:** Citrus Valley High School  
**CDS Code:** 36-67843-0118802  
**District:** Redlands Unified School District  
**Address:** 800 W. Pioneer Avenue  
Redlands, CA 92374  
**Date of Adoption:** November 14, 2023  
**Date of Update:** October 2, 2024  
**Date of Review:**  
- with Staff  
- with Law Enforcement  
- with Fire Authority

**Approved by:**

| Name            | Title              | Signature       | Date     |
|-----------------|--------------------|-----------------|----------|
| Maisie McCue    | Principal          | Maisie McCue    | 10/4/24  |
| Zach Tucker     | Parent             | Zach Tucker     | 10/3/24  |
| Austin Meiners  | Certificated Staff | Austin Meiners  | 10/03/24 |
| Abigail Reffner | Classified Staff   | Abigail Reffner | 10/03/24 |



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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 Citrus Valley High School Principal's Office.

## Safety Plan Vision

Citrus Valley High School will:

- provide a safe, orderly, and secure environment conducive to learning.
- create a school in which pupils will attend regularly and be safe from both physical and social-psychological harm.
- work collaboratively with the district office and school board to identify, establish, and use strategies and programs to comply with school safety laws.
- develop a plan to work cooperatively and collaboratively with parents, pupils, teachers, administrators, counselors, and community agencies, including law enforcement, to provide a safe and orderly school environment.

- develop an academic program that will focus on high expectations of pupil performance and behavior in all aspects of the school experience.
- work collaboratively with other elementary, middle, and high schools to assist in a smooth transition from one school level to another.
- solicit the participation, views, and advice of teachers, parents, school administrators, and community members, and use this information to promote the safety of our pupils, staff and community.

## **Components of the Comprehensive School Safety Plan (EC 32281)**

### **Citrus Valley High School Safety Committee**

#### **Assessment of School Safety**

Citrus Valley High School administration and safety officers report crimes to the Redlands Police Department, and RPD Officer Eileen Gutierrez is the School Resource Officer.

#### **Strategies and Programs to Provide and Maintain a High Level of Safety (EC 32281(a)1, items A-J)**

##### **Introduction - School Profile**

Citrus Valley High School is one of twenty-four schools in the Redlands Unified School District with traditions dating back to 2009. Citrus Valley High School has a diverse pupil student body and is served by a dedicated staff. Both staff and parents comment on the positive changes that are ongoing in our school.

Citrus Valley High School faces challenges in maintaining a safe school. This section of the Comprehensive School Safety Plan will describe programs in place at our school as well as strategies and programs of our school site council for continued improvement in providing a safe, orderly, school environment conducive to learning.

##### **School Crime Status and Reporting:**

Citrus Valley High School administration and safety officers report crimes to the Redlands Police Department, and RPD Officer Eileen Gutierrez is the School Resource Officer.

##### **Personal Characteristics of Pupil & Staff**

(Additional Health and Welfare Data available from ICOE aggregated DAT surveys)

Citrus Valley High School has an enrollment of 2,117 pupils in 9-12. Pupils from this school come from families with 13% family mobility. Approximately 64.9% of the pupils are in families receiving Aid to Families with Dependent Children that are eligible for free/reduce lunches. The ethnic makeup of the pupil population is 57.8 % Hispanic, 5.4 % Black, 19.64 % Caucasian and 8.19% Asian. Our pupils have a variety of life experiences. Some pupils have recently arrived from foreign countries while others have never left their neighborhood.

##### **Curriculum and Educational Activities**

- Ceramics CP
- Advanced Ceramics
- Art CP
- Drawing CP
- Digital Art CP
- Advanced Studio Art
- Photography
- Academic Prep
- Principles of Leadership
- Dance
- Drama II Acting
- Drama III
- Piano CP
- Advanced Multi Media Design
- ROP Virtual Enterprise
- ROP Criminal Investigation
- ROP Criminal Justice

- ROP Emergency Medical Response
- ROP Video Game Design
- ROP Culinary Arts
- ROP Careers in Sports Medicine
- Academic Decathlon
- Computer Applications
- Computer Science
- Anatomy / Physiology
- AP Spanish
- AP French
- AP Latin
- AP Calculus
- AP Statistics
- AP Environmental Science
- AP Biology
- AP Chemistry
- AP Physics
- AP European History
- AP US History
- AP Government
- AP English Language
- AP Psychology
- AP Macroeconomics
- AP World History

The course of study includes the basic core curriculum, physical education and enrichment classes such as:

- ASB-sponsored activities.
- Club meetings and related activities
- Sports
- Student support programs
- Performance groups (band, choir, theatre)
- Personal support services (i.e, counseling, tutoring, academic case carriers, wellness center)
- Online credit recovery

Pupils have the opportunity to participate in noon and after-school activities. These include:

- EL Support
- Counseling
- AVID/Peer-tutoring
- ROP/CTE
- Inclusion
- Career Center

**(A) Child Abuse Reporting Procedures (EC 35294.2 [a] [2]; PC 11166)**

#### Policy 5141.4: Child Abuse Prevention and Reporting

The Governing Board recognizes that the district has a responsibility to facilitate the prompt reporting of incidents of child abuse and neglect. The Superintendent or designee shall ensure that parents/guardians have access to procedures whereby they can report suspected child abuse at a school site to appropriate child protective agencies

The Superintendent or designee shall develop and implement regulations for use by employees in identifying and reporting child abuse

District employees shall report known or suspected incidents of child abuse in accordance with district regulations and state law. Employees shall cooperate with the child protective agencies responsible for reporting, investigating and prosecuting cases of child abuse.

(cf. 4112.9 - Signed Statements/Child Abuse Reporting Statements)

The Superintendent or designee shall provide training in child abuse identification and reporting for all certificated and classified personnel. (Penal Code 11165.7)

All employees trained in child abuse identification and reporting shall be given, as a part of that training, written notice of the child abuse reporting requirements and the employees' confidentiality rights. (Penal Code 11165.7)

In order to reduce or eliminate unfounded child abuse accusations directed at school employees, child abuse in service training shall include guidance in disciplining students and maintaining ethical relationships with them.

(cf. 3514 - Safety)

(cf. 5142 - Safety)

#### Duty to Report

Certificated employees and classified employees trained in child abuse identification and reporting shall report known or suspected child abuse to a child protective agency by telephone immediately or as soon as practically possible and in writing within 36 hours. The reporting duties are individual and cannot be delegated to another individual except under circumstances set forth in Penal Code 11166.

#### Definitions

Child Abuse includes the following:

1. A physical injury inflicted by other than accidental means on a child by another person.
2. Willful cruelty or unjustifiable punishment of a child, or willfully inflicting unjustifiable physical pain or mental suffering, or failure to safeguard a child from these injuries when the child is under a person's care or custody
3. Sexual abuse of a child
4. Neglect of a child or abuse in out-of-home care
5. Unlawful corporal punishment or injury resulting in a traumatic condition

Mandated Reporters are those people defined by law as child care custodians, health practitioners, child visitation monitors and employees of a child protective agency. Mandated reporters include virtually all school employees. The following school personnel are required to report:

Teachers, administrators, supervisors of child welfare and attendance, certificated student personnel employees, employees of care institutions, Headstart teachers, school psychologists, licensed nurses, counselors, presenters of child abuse prevention programs and those instructional aides or other classified employees trained in child abuse reporting.



Child Protective Agencies are those law enforcement and child protective services responsible for investigating child abuse reports, including the local police or sheriff department, county welfare or juvenile probation department and child protective services.

Reasonable Suspicion means that it is objectively reasonable for a person to entertain such a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his/her training and experience, to suspect child abuse. (Penal Code 11166)

#### Reporting Procedures

To report known or suspects child abuse, any employee (as defined above) shall report by telephone to the local child protective agency immediately. (Child Protective Services 921 County Center, 3 Court, Modesto, CA phone # 525- 6641)

The following information shall be given:

1. The name of the person making the report
2. The name of the child
3. The present location of the child
4. The nature and extent of any injury

Any other information requested by the child protective agency, including the information that led the mandated reporter to suspect child abuse.

When the verbal 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.

Within 36 hours of making the telephone report, the mandated reporter shall complete and mail to the local child protective agency a written report which includes a completed Department of Justice form (DOJ SS 8572).

Mandated reports may obtain copies of the above form either from the district or local child protective agency.

Instructions are included on the form, and reporters may ask the site administrator for help in completing and mailing it; however, the mandated reporter is personally responsible for ensuring that the written report is correctly filed.

Employees reporting child abuse to a child protective agency are encouraged, but not required, to notify the site administrator or designee as soon as possible after the initial verbal report by telephone. When so notified, the site administrator shall inform the Superintendent or designee.

Administrators so notified shall provide the mandated reporter any assistance necessary to ensure that reporting procedures are carried out in accordance with law and district regulations. At the mandated reporter's request, the principal may assist in completing and filing the form.

If the mandated reporter does not disclose his/her identity to a district administrator, he/she shall at least provide or mail a copy of the written report to the site administrator and the district without his/her signature or name.

#### Legal Responsibility and Liability

Mandated reporters have absolute immunity. School employees required to report are not civilly or criminally liable for filing a required or authorized report of known or suspected child abuse.

A mandated reporter who fails to report an instance of child abuse, which he/she knows to exist or reasonably should know to exist, is guilty of a misdemeanor and is punishable by confinement in jail for a term not to exceed six months or by a fine of not more than \$1,000 or both. The mandated reporter may also be held civilly liable for damages for any injury to the child after a failure to report

When two or more persons who are required to report have joint knowledge of suspected instance of child abuse, and when they so agree, the telephone report may be made by either of them and a single report made and signed by that person.

However, if any person who knows or should know that the person designated failed to make the report, that person then has a duty to make the report.

The duty to report child abuse is an individual duty and no supervisor or administrator may impede or inhibit such reporting duties. Furthermore, no person making such a report shall be subject to any sanction.

#### Victim Interview

Upon request, a child protective agency representative may upon request interview a suspected victim of child abuse during school hours, on school premises, concerning a report of suspected child abuse that occurred within the child's home. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. (Penal Code 11174.3)

A staff member or volunteer aide selected by a child may decline to be present at the interview. If the selected person accepts, the principal or designee shall inform him/her, before the interview takes place, of the following legal requirements:

1. The purpose of the selected person's presence at the interview is to lend support to the child and enable him/her to be as comfortable as possible.
2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the child.
4. The selected person is subject to the confidentiality requirements of the Child Abuse and Reporting Act, a violation of which is punishable as specified by Penal Code 11167.5.
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 or Child Protective Services Agent

When a child is released to a peace officer or child protective agency and taken into custody as a victim of suspected child abuse, the Superintendent and/or principal shall not notify the parent/guardian as required in other instances of removal of a child from school, but rather shall provide the protective agency with the address and telephone number of the child's parent/guardian. It is the responsibility of the peace officer or agent to notify the parent/guardian of the situation. (Education Code 48906)

Peace officer and child protective services agents will be asked to sign an appropriate release or acceptance of responsibility form.

(cf. 5145.11 - Questioning and Apprehension)

#### When School Employees are Accused of Child Abuse

Regardless of who child abusers may be, the major responsibilities of mandated reports are to 1) identify incidents of suspected child abuse, and 2) comply with laws requiring the reporting of suspected abuse to proper authorities. Determining whether or not the suspected abuse actually occurred is not the responsibility of the school employee. Such determination and follow-up investigation will be made by a child protective agency.

Pending outcome of an investigation by a child protective agency and before formal charges are filed, the employee may be subject to reassignment or a paid leave of absence.

Upon filing formal charges or upon conviction, the district may take disciplinary action in accordance with law, district policies, regulations and/or collective bargaining agreements. The Superintendent or designee shall seek legal counsel in connection with either the suspension or dismissal of the employee.

(cf. 4117.4 - Dismissal)  
(cf. 4118 - Suspension/Disciplinary Action (Certificated))  
(cf. 4218 - Suspension/Disciplinary Action (Classified))

## Suspected Child Abuse Reporting Procedures

### I. Initiating the Report

A. The report is initiated by a telephone report to the appropriate agency.

B. If the suspected child abuse has taken place within the family, call the Enter appropriate Agency Hotline at phone number, 1 (800) 827-8724

C. If the suspected child abuse has taken place outside the family, call the local police department at:

Highland Sheriff Police Department  
Phone: (909) 425-9793

D. Content of call.

- 1) Name, address and age of child involved.
- 2) Clear description of suspected abuse.

### II. Written Report

A. The telephone call is to be followed by completion of the Suspected Child Abuse Report (form 11166.P.C.). These forms are available in the Principal's office at the high school or you may access the form on line at:  
[http://ag.ca.gov/childabuse/pdf/ss\\_8572.pdf](http://ag.ca.gov/childabuse/pdf/ss_8572.pdf) for a form or immediately call (909) 384-9233 to file a report.

B. The written report is to be addressed to the person to whom the telephone report was made.

C. The written report must follow the phone call within 36 hours.

1. Suspected child abuse within the family,  
Agency: Children and Family Services  
Address: 150 S. Lena Road, San Bernardino, California 92415

2. Suspected child abuse outside the family should be mailed to the agency to which the report was called -

Adopted: 10/2005  
Highland Sheriff Police Department  
Phone: (909)425-9793

The reporting party should keep the yellow copy of the Suspected Child Abuse Report form (SS8572) or verification of completion of the reporting obligation.

#### Caution:

1. The reporting responsibility has not been discharged until both the telephone call and written reports are complete.
2. School personnel are not to engage in any investigation of suspected cases. The investigation will be done by the child protective services office.
3. The reporting responsibility is an individual one which is NOT discharged by report to supervisors or administrators.

## **(B) Disaster Procedures (EC 35295-35297; GC 8607 and 3100)**

### **Disaster Plan (See Appendix C-F)**

Each classroom, office, library and room on campus has a posting of the emergency procedures near the exit door. Emergency procedures are also posted in each classroom notebook which is reviewed at the beginning of the school year for updates. Fire Drills are practiced each semester of the school year. Earthquake drills are practiced each semester of the school year and Lock Down drills are practiced yearly.

### **Public Agency Use of School Buildings for Emergency Shelters**

Red Cross

## **(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines**

Policy 5144.1: Suspension And Expulsion/Due Process

### **Suspension and Expulsion**

The Governing Board recognizes that maintaining an environment which promotes learning and protects the health, safety, and welfare of all students may require the suspension or expulsion of a student from regular classroom instruction. District policies and school site rules shall clearly identify district behavior standards

(cf. 5144 - Discipline)

Except in cases where suspension for a first time offense is warranted in accordance with law, suspension shall be imposed only when other means of correction fail to bring about proper conduct. (Education Code 48900.5)

Expulsion is an action taken by the Board for severe or prolonged breaches of discipline by a student. Except for single acts of a grave nature, expulsion is usually used only when there is a history of misconduct, when other forms of discipline, including suspension, have failed to bring about proper conduct, or when the student's presence causes a continuing danger to other students. (Education Code 48915)

The grounds for suspension and expulsion and the procedures for considering, recommending and/or implementing suspension and expulsion shall be specified in Administrative Regulation.

Each principal shall annually inform all students and parents/guardians of the school's discipline rules and procedures and of the availability of all district policies and regulations dealing with student discipline, suspension and expulsion. (Education Code 35291, 35291.5)

(cf. 5145.6 - Parental Notifications)

Suspended or expelled students shall be excluded from all school-related extracurricular activities during the suspension or expulsion.

cf. 6145 - Extracurricular and Cocurricular Activities)

### **Zero Tolerance**

The Board supports a zero tolerance approach to serious offenses in accordance with state and federal law. This approach makes the removal of potentially dangerous students from the classroom a top priority and ensures the standardized treatment of all students. Staff shall immediately report to the Superintendent/ designee any incidence of offenses specified in law, Board policy, and administrative regulation as cause for suspension or expulsion.

### **Student Due Process**

The Board shall provide for the fair treatment of students facing suspension and expulsion by affording them their due process rights under the law. The administration and staff shall comply with procedures for notices and appeals as specified in regulation. Procedures governing student due process shall conform in all aspects to provisions in law. (Education Codes 48911, 48915 and 48915.5)

Whenever a student is suspended, school officials may (but are not required to) meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

cf. 5119 - Students Expelled from Other Districts

(cf. 5144.2 - Suspension and Expulsion/Due Process - Individuals with Exceptional Needs)

#### Rights of Complaining Witness

An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental or emotional needs of a student who is the complaining witness. (Education Code 48918.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Educational Code 48918.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies
3. Have a closed hearing during the time he/she testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48918.5)

#### On-Campus Suspension Program

The Board recognizes that students who are suspended from school frequently have no supervision or guidance during the school hours when they are off campus. The Board believes that in many cases, instead of sending the student off campus, it would be better to address the student's misconduct by keeping the student at school and providing him/her with supervision that is separated from the regular classroom.

The Superintendent or designee shall examine alternatives to off-campus suspension and may establish a suspension program which involves progressive discipline during the school day on campus; using conferences between staff, parents/guardians and students; detention; student study teams or other assessment-related teams; and/or referral to school support services staff.

#### Required Parental Attendance

The Board believes that parental involvement plays an important role in the resolution of classroom behavior problems. The Board expects that teachers will communicate with parents/guardians when behavior problems arise

Whenever a student is suspended from a class because he/she committed an obscene act, engaged in habitual profanity or vulgarity, disrupted school activities or otherwise willfully defied valid staff authority, the teacher of the class from which the student was suspended may require the student's parent/guardian to attend a portion of a school day in that class. After completing the classroom visit and before leaving school premises, the parent/guardian also shall meet with the principal or designee. (Education Code 48900.1)

The Board encourages teachers, before requiring parental attendance, to make reasonable efforts to have the parent/guardian visit the class voluntarily. The teacher also may consider informing the parent/guardian about available resources which may provide help in the development of parenting skills. Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the student and the parent/guardian and to improve classroom behavior.

Parental attendance may be required on the day the student returns to class or within one week thereafter. The principal or designee shall contact any parents/guardians who do not respond to the request to attend school. The Board recognizes that parental compliance with this policy may be delayed, modified or prevented by serious illness/injury/disability, absence from town, or inability to get certain release time from work.

The teacher shall apply this policy uniformly to all students within the classroom. This policy shall apply only to a parent/guardian who actually lives with the student. (Education Code 48900.1)

District regulations and school-site rules for student discipline shall include procedures for implementing parental attendance requirements.

Parents/guardians shall be notified of this policy before it is implemented and at the beginning of each subsequent school year. (Education Code 48900.1, 35291, 48980)

#### Decision Not to Enforce Expulsion Order

In cases where expulsion is mandatory pursuant to Education Code 48915(c), the enforcement of an expulsion order shall not be suspended by the Board. In all other cases of expulsion, the order for expulsion may be suspended by the Board, on a case-by-case basis, pursuant to the requirements of law.

#### Definitions

Suspension from school means removal of a student from on going 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, nor referral to a certificated employee designated by the principal to advise students, nor removal from the class without reassignment to another class or program for the remainder of the period, without sending the student to the principal or designee.

2. Removal from a particular class shall not occur more than once every five school days. (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)

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

School property, for the purposes described in Education Code 48900, includes, but is not limited to, electronic files and databases. (Education Code 48900(s))

#### 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, suspension and expulsion. Transfer students and their parents/guardians shall be notified at the time of enrollment. (Education Code 35291.5, 48900.1, 48980)

(cf. 5144 -Discipline)

(cf. 5145.6 Parental Notifications)

Notification shall include information about the ongoing availability of individual school rules and all district policies and regulations pertaining to student discipline. (Education Code 35291)

(cf. 5145.6 -Parental Notifications)

#### Grounds for Suspension and Expulsion

Students may be suspended or recommended for expulsion when the Superintendent, principal, or principal's designee at the school in which the student is enrolled determines that the student has done any of the acts listed below:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense. (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However, a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code Board Policy Manual Redlands Unified School District 48900(s))

2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48900(b))

(cf. 5 131 - Conduct)

(cf. 5131. 7 - Weapons and Dangerous Instruments)

3. Unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of, any controlled substance as defined in the Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind. (Education Code 48900(c))

(cf. 5131.6 -Alcohol and Other Drugs)

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance or material and represented same as controlled substance, alcohol beverage or intoxicant. (Education Code 48900(d))

5. Committed or attempted to commit robbery or extortion. (Education Code 48900(e))

6. Caused or attempted to cause damage to school property or private property. (Education Code 48900(f))

7. Stole or attempted to steal school property or private property. (Education Code 48900(g))

8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products with prior approval of the principal or designee. (Education Code 48900(h))

9. Committed an obscene act or engaged in habitual profanity or vulgarity. (Education Code 48900(i))

10. Unlawfully possessed, or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code. (Education Code 48900(j))

11. Disrupted school activities or otherwise willfully defied 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))

12. Knowingly received stolen school property or private property. (Education Code 48900(1))
13. Possessed an imitation firearm, i.e., 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))
14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code 243.4. (Education Code 48900(n))
15. 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))
16. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug soma. (Education Code 48900(p))
17. Engaged in, or attempted to engage in, hazing as defined in Education Code 32050. (Education Code 48900(q))
18. Made terrorist threats against school officials and/or school property. (Education Code 48900.7)

A student in grades 4 through 12 is also subject to suspension or recommendation for expulsion when it is determined that he/she:

19. Committed sexual harassment as defined in Education Code 212.5. (Education Code 48900.2)
20. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 33032.5. (Education Code 48900.3)
21. 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 Glasswork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment (Education Code 48900.4)

(cf. 5145.3 -Nondiscrimination/Harassment)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent/principal or within any other school district, including but not limited to the following circumstances:

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.

The Superintendent/principal may use his/her discretion to provide alternatives to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program. (Education Code 48900(r))

cf. 5138 -Conflict Resolution/Peer Mediation)

Alternatives to suspension or expulsion will be used against students who are truant, tardy, or otherwise absent from assigned school activities.

(cf. 5113 -Absences and Excuses)



(cf. 5113.1 - Truancy)

#### Suspension from Class by a Teacher/Parental Attendance

A teacher may suspend any student from the teacher's class for any of the acts listed under "Grounds for Suspension and Expulsion" above for the day of the suspension and the day following. (Education Code 48910)

Suspension from class means the removal of a student from class by a teacher for the day of the suspension and the next day. A teacher may suspend a student from class and may also refer a student for consideration of suspension from school for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

When suspending a student from his/her class, the teacher shall immediately report this action to the principal and send the student to the principal for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been suspended.

As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the suspension. A counselor or psychologist should attend the conference if it is practicable, and a school administrator may attend if either the parent/guardian or teacher so request.

A suspended student shall not be returned to class during the period of suspension without the approval of the teacher of the class and the principal. (Education Code 48910)

A student suspended from class shall not be placed in another regular class during the period of suspension. However, if a student is assigned to more than one class per day, he/she may be placed in any 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 suspended student to complete any assignments and tests missed during the suspension. (Education Code 48913)

When a teacher requires a parent/guardian to attend school in accordance with Board Policy, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is required pursuant to law. (Education Code 48900.1)

1. This notice shall also tell the parent/guardian when his/her presence is expected and by what means he/she may arrange any necessary change.
2. The notice shall describe the protections afforded to the parent/guardian as an employee by Labor Code 230.7.
3. The notice shall state that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student.

The teacher shall remind the parent/guardian to meet with the principal or designee after completing the classroom visit and before leaving school premises.

#### Suspension By Superintendent, Principal Or Principal's Designee

A Superintendent, principal, or principal's designee may suspend a student from a school for any of the acts listed under "Grounds for Suspension and Expulsion" above for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

The Superintendent or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife, as defined in Education Code 48915(g), at another person.

3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.

4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item 414 under "Grounds for Suspension and Expulsion" above.

5. Possession of an explosive as defined in 18 USC 921.

Suspension may be imposed upon a first offense if the Superintendent, principal or designee determines the student violated items (i) - (v) listed in "Grounds For Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903 and 48912)

#### Suspension Procedures

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the principal or designee or the Superintendent or designee between 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 and the evidence against him/her and shall be given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911(b))

This conference may be omitted if the principal, designee or the Superintendent or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or school personnel. If the pre-suspension conference is not held, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference will be held as soon as the student is physically able to return to school. (Education Code 48911(c))

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior

A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee, who in turn will inform the Board.

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 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 also state the date and time when the student may return to school.

Should school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may also add that state law requires the parent/guardian to respond to such request without delay.

4. Parent/Guardian Conference: Whenever a student is suspended, school officials may meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such conference. The student may not be denied readmission solely because the parent/guardian failed to attend. (Education Code 48911)

5. Extension of Suspension: If the expulsion of a suspended student is being considered by the Board, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision. (Education Code 48911(g))

Any extension of the original period of suspension shall be 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. Extension of the suspension may be made only if 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(g))

#### Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal or Principal's 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 if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. 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 may hold closed sessions if a public hearing would lead to disclosure of information which would violate a student's right to privacy under Education Code 49073-49079.

(cf. 9321 -Closed Session Purposes and Agendas)

The Board shall provide the student with written notice of the closed session by registered or certified mail. Upon receiving this notice the student 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 shall be in closed session. (Education Codes 48912)

#### Authority to Expel

A student may be expelled only by the Board. The Board shall expel, as required by law, any student found to have committed certain offenses listed below under "Mandatory Recommendation and Mandatory Expulsion."

The Board may also order a student expelled for any of the acts listed above under "Grounds for Suspension and Expulsion" upon recommendation by the principal, Superintendent, hearing officer or administrative panel, based on finding either or both of the following: (Education Code 48915(b) and (e))

1. That other means of correction are not feasible
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

#### Mandatory Recommendation For Expulsion

The principal, Superintendent or designee shall recommend a student's expulsion for any of the following acts, unless the principal or Superintendent or designee finds, and reports in writing to the Board, that expulsion is inappropriate due to particular circumstances which shall be set out in the report of the incident:

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife as defined in Education Code 48915(g), explosive 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 the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee.

#### Mandatory Recommendation And Mandatory Expulsion

The principal, Superintendent or designee shall recommend that the Board expel any student found at school or at a school activity off school grounds to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48915(c).1)
2. Brandishing a knife as defined in Education Code 48915(g) at another person. (Education Code 48915(c).2)
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058. (Education Code 48915(c).3)
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above. (Education Code 48915(c).4)
5. Possessing an explosive as defined in 18 USC 921.

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

#### Student's Right to Expulsion Hearing

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred. (Education Code 48918(a))

The student is entitled to 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 district's discretion. (Education Code 48918(a))

If the district finds it impracticable 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))

Once the hearing starts, all matters shall be pursued with reasonable diligence and concluded without unnecessary delay. (Education Code 48918(a))

#### 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 48915.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Education Code 48915.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing.

2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies.
3. Have a closed hearing during the time he/she testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48915.5)

#### Written Notice of the Expulsion Hearing

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least ten 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. A parent/guardian of a student expelled for acts described in paragraphs through 4 of Education Code 48915(a), seeks enrollment in another district they must inform the new district of the students status with the expelling district, pursuant to Education Code 48915.1.

(cf. 5119 -Students Expelled from Other Districts)

5. The opportunity for the student or the student's parent/guardian to appear in person or to employ and be represented by counsel.
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.

#### Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and Education Code 35145, the Board shall conduct the hearing or arrange for an alternative 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 request is made, the meeting shall be public

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to deliberate and determine if the student should be expelled. If the Board admits any other person to the closed session, the parent/guardian, the student, counsel of the student and counsel of the parent/guardian shall also be allowed to attend the closed session. (Education Code 48918(c))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to have his/her testimony heard in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including but not limited to videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

2. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, so long as a reasonably accurate written and complete transcription of the proceedings can be made. (Education Code 48918(g))

3. Presentation of Evidence: While technical rules of evidence do not apply to such hearings, 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 must be supported by substantial evidence that the student committed any of the above acts listed under "Grounds for Suspension and Expulsion" above. Findings of fact shall be based solely on the evidence at the hearing.

While no evidence 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) and

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 Witness: The following procedures shall be observed when hearings involve allegations of sexual assault or sexual battery by a student: (Education Code 48918)

- a. Any complaining witness shall be given five days' notice before being called to testify.
- b. Any complaining witness shall be entitled to have up to two adult support persons, including but not limited to a parent/guardian or legal counsel, present during his/her testimony.
- c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- e. If one or both support persons are also witnesses, the hearing shall be conducted according to Penal Code 868.5.
- f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard.

Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.

g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.

(1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.

(2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.

(3) The person conducting the hearing may:

- (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness.
- (b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
- (c) Permit one of the support persons to accompany the complaining witness to the witness stand.

6. Decision Within Ten Days: The Board's decision on whether to expel a student shall be made within ten school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

7. Decision Within 40 Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

#### Alternative 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. Alternatively, the Board may 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(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified in "Conduct of Expulsion Hearing" above.

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 student shall be immediately reinstated. (See "Reinstatement" below.) The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers and with the student's parent/guardian. (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))

The hearing officer or administrative panel may recommend that the Board suspend the expulsion for a period of one year. (See "Suspension of Expulsion" below.)

The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

#### Stipulated Expulsions

It is the policy of the Redlands Unified School District that, where approved by the Superintendent or designee, parents/guardians may agree to the expulsion of their pupil by stipulation without necessity of a hearing. This process will expedite the pupil's school placement and may expedite the rehabilitation process.

A stipulated expulsion must be purely voluntary. No district administrator or staff member may coerce a pupil, parent or guardian into entering into such a stipulation. Parents/guardians will be given three calendar days to decide on a stipulated expulsion agreement.

If the parent/guardian requests a stipulated expulsion, the Superintendent or designee will promulgate the stipulated agreement. If at any time the parent/guardian decides not to pursue a stipulated agreement, the expulsion proceedings and timelines, extended by the length of the period for consideration of the stipulation, will be reinstated. The stipulated agreement will be presented to the Board for final consideration.

The stipulated agreement will include the terms and conditions of the expulsion order, including alternative placement and a rehabilitation plan to be completed before the student can be re-admitted to the district.

#### Final Action by the Board

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel, the final action to expel must be taken by the Board at a public meeting. (Education Code 48918(f)) The Board shall maintain a record of each expulsion, including its cause. Expulsion records shall be non-privileged, disclosable public records.

(cf. 9321.1 - Closed Session Actions and Reports)

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

Upon ordering the 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 an act listed under "Mandatory Recommendation and Mandatory Expulsion" above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. (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 of the student at the time of review for readmission.
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service and other rehabilitative programs.
3. Such other recommendations as the Board approves.

With parental 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)

Upon expulsion, a copy of readmission procedures will be made available to the student and his/her parent/guardian.

#### Written Notice to Expel

The Superintendent or designee shall send written notice of the decision to expel to the student or parent/guardian. The notice shall include the following:

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed in Education Code 48900(a)-(o), Education Code 48900.2-48900.4 and Education Code 48915(c). (Education Code 48900.8)
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian. (Education Code 48916)
3. Notice of the right to appeal such expulsion to the County Board of Education. (Education Code 48918)
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion. (Education Code 48918)
5. The notice also shall inform the student or parent/guardian of his/her 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)

#### Suspension of Expulsion

The Board, upon voting to expel a student, may suspend the enforcement of the expulsion order for not more than one calendar year. When deciding whether to suspend an expulsion, the Board shall take into account the following criteria:

1. The student's previous behavior.
2. The seriousness of the misconduct.
3. The student's attitude toward the misconduct and his/her willingness to follow a rehabilitation program.

The suspension of the enforcement of an expulsion shall be governed by the following: (Education Code 48917)



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.
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status.
3. The suspension of expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion" above or violates any of the district's rules and regulations governing student conduct.
4. When suspension of expulsion order is revoked, a student may be expelled under the terms of the original expulsion order
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expungement of any or all records of the expulsion proceedings.
6. Suspension 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 of Education.
7. 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 also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education. (Education Code 48918(i))

#### Right to Appeal

The student or parent/guardian is entitled to file an appeal of the Board's decision to the County Board of Education.

The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion action is suspended and the student is placed on probation. (Education Code 48919)

#### Post-Expulsion Placements

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 such a site.
3. Not housed at the school site attended by the student at the time of suspension.

(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for acts described in items #6 through # 13 and # 17 through # 19 under "Grounds for Suspension and Expulsion" above may be instead referred to a program of study that is provided at another comprehensive middle, junior, or senior high school, or at an elementary school.

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)

#### Reinstatement

When the Board accepts a recommendation against expulsion or makes its own decision after the hearing not to expel, the decision is final and the student shall be reinstated immediately. The Superintendent or designee shall place the student in any classroom program, other instructional program, rehabilitation program, or any combination of such programs following consultation with district personnel, including the teacher involved, and with the student's parent/guardian. (Education Code 48918(e))

## Readmission

An expulsion order shall remain in effect until the Board may order the readmission of the student.

Readmission procedures shall be as follows:

1. A written request for review of expulsion action and request for readmission shall be submitted by the parent/guardian to the Superintendent or designee.
2. The Superintendent or designee will hold a conference with the parent/guardian and the student.
3. At the conference the conditions for readmission will be reviewed. The Superintendent or designee shall verify that the rehabilitation plan has been met.
4. School regulations will be reviewed and the student and parent/guardian will be asked to indicate in writing their willingness to comply with these regulations.
5. The Superintendent or designee will transmit the request for readmission to the Board, along with his/her recommendation. The Board shall consider the request in closed session if the information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it will be honored.
6. The Superintendent or designee will notify the student or parent/guardian, by registered mail, of the district's decision regarding readmission.
7. 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)
8. 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. (Education Code 48916)
9. 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)

## Maintenance of Records

The Board will maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls, within five days of a written request by the admitting school. (Education Code 48900.8, 48918(k))

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district. (Education Code 48915.1)

cf. 5119 - Students Expelled from Other Districts)

(cf. 5125 - Student Records)

## Notifications and Reports

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering or sale of controlled substances, alcohol, or intoxicants of any kind.

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 also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

#### Outcome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion.
2. The specific grounds for each recommended expulsion.
3. Whether the student was subsequently expelled.
4. Whether the expulsion order was suspended.
5. The type of referral made after the expulsion.
6. The disposition of the student after the end of the expulsion period.

#### Suspension and Expulsion/Due Process

Redlands Unified  
Administrative Regulation  
AR 51441  
Adopted June 27, 1995  
Students

#### Definitions

Suspension from school 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. Removal from a particular class shall not occur more than once every five school days.

Expulsion means removal of a student from the immediate supervision and control, or the general supervision, of school personnel. (Education Code 48925)

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian or legal counsel. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

#### 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, suspension and expulsion. Transfer students and their parents/guardians shall be notified at the time of enrollment. (Education Code 35291.5, 48900.1, 48980)  
(cf. 5144 - Discipline)

Notification shall include information about the ongoing availability of individual school rules and all district policies and regulations pertaining to student discipline. (Education Code 35291)  
(cf. 5145.6 - Parental Notifications)

#### Grounds for Suspension and Expulsion

A student may be subject to suspension or expulsion when it is determined that he/she:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense. (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aide or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code 48900(s))

2. Possessed, sold, or otherwise furnished any firearm. Knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48900(b))  
(cf. 5131 - Conduct)  
(cf. 5131.7 - Weapons and Dangerous Instruments)

3. Unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of, any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind. (Education Code 48900(c))  
(cf. 5131.6 - Alcohol and Other Drugs)

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid, substance or material and represented same as controlled substance, alcohol beverage or intoxicant. (Education Code 48900(d))

5. Committed or attempted to commit robbery or extortion. (Education Code 48900(e))

6. Caused or attempted to cause damage to school property or private property. (Education Code 48900(f))

7. Stole or attempted to steal school property or private property. (Education Code 48900(g))

8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products (Education Code 48900(h))

9. Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))

10. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5. (Education Code 48900(j))

11. Disrupted school activities or otherwise willfully defied 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))

12. Knowingly received stolen school property or private property. (Education Code 48900(l))

13. Possessed an imitation firearm, i.e., 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))

14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code 243.4. (Education Code 48900(n))

15. 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))

16. Made terrorist threats against school officials and/or school property. (Education Code 48900.7)

Pursuant to Education Code 48900.7, the making of a terrorist threat includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person or property damage in excess of \$1,000.00, 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.

A student in grades 4 through 12 is also subject to suspension or recommendation for expulsion when it is determined that he/she:

17. Committed sexual harassment as defined in Education Code 212.5. (Education Code 48900.2)

Pursuant to Education Code 48900.2 the conduct constitutes harassment when considered from the perspective of a reasonable person of the same gender as the victim to be 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.

(cf. 5145.7 - Sexual Harassment)

18. 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)

(cf. 5145.9 - Hate-Motivated Behavior)

Education Code 233 defines "hate violence" as any act punishable under Penal Code 422.6, 442.7 or 422.75. Such acts include injuring or intimidating another person, interfering with the exercise of a person's civil rights, or damaging a person's property because of the person's race, color, religion, ancestry, national origin, disability, gender or sexual orientation.

19. Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading student rights by creating an intimidating or hostile educational environment. (Education Code 48900.4)

(cf. 5145.3 - Nondiscrimination/Harassment)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent or principal or within any other school district, including but not limited to the following circumstances: (Education Code 48900)

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.

The Superintendent or principal may use his/her discretion to provide alternative to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program. (Education Code 48900(r))

Alternatives to suspension or expulsion will be used with students who are truant, tardy, or otherwise absent from assigned school activities.

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Truancy)

#### Removal from Class by a Teacher/Parental Attendance

A teacher may suspend any student from his/her class for the remainder of the day and the following day for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

A teacher also may refer a student to the principal or designee for consideration of suspension from school. (Education Code 48910)

When removing a student from his/her class, the teacher shall immediately report this action to the principal and send the student to the principal for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been removed.

As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the removal. A counselor or psychologist should attend the conference if it is practicable, and a school administrator may attend if either the parent/guardian or teacher so requests.

A student removed from class shall not be returned to class during the period of removal without the approval of the teacher of the class and the principal. (Education Code 48910)

A student removed from class shall not be placed in another regular class during the period of removal. However, if a student is assigned to more than one class per day, he/she may be placed in any other regular classes except those held at the same time as the class from which the student was removed. (Education Code 48910)

The teacher of any class from which a student is removed may require the student to complete any assignments and tests missed during the removal. (Education Code 48913)

Pursuant to Board policy, a teacher may provide that the parent/guardian of a student whom the teacher has removed attend a portion of a school day in his/her child's classroom. When a teacher makes this request, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is requested pursuant to law. (Education Code 48900.1)

This notice shall also:

1. Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternate date.
2. Describe the legal protections afforded to the parent/guardian as an employee under Labor Code 230.7.
3. State that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student.
4. Ask the parent/guardian to meet with the principal after the visit and before leaving school, as required by Education Code 48900.1.

Suspension by Superintendent, Principal or Principal's Designee

The Superintendent, principal or principal's designee may suspend a student from a school for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

The Superintendent or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife, as defined in Education Code 48915(g), at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion".
5. Possession of an explosive as defined in 18 USC 921.

Suspension also may be imposed upon a first offense if the Superintendent, principal or designee determines the student violated items #1-5 listed in "Grounds for Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903, 48912)

The Superintendent or designee may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which a student may be suspended in any school year. (Education Code 48903)

Suspensions shall be initiated according to the following procedures:

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the principal, designee or the Superintendent 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 and the evidence against him/her; the student shall be given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911(b))

This conference may be omitted if the principal, designee or the Superintendent determines that an emergency situation exists. An "emergency situation" involves 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 a conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference will be held as soon as the student is physically able to return to school. (Education Code 48911(c))

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee.

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 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 also state the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may add that state law requires the parent/guardian to respond to such requests without delay.

4. Parent/Guardian Conference: Whenever a student is suspended, school officials may meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such conference. The student may not be denied readmission solely because the parent/guardian failed to attend. (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. (Education Code 48911(g))

Any extension of the original period of suspension shall be 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. Extension of the suspension may be made only if 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)

#### Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal or Principal's 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 if any of the acts listed in “Grounds for Suspension and Expulsion” occurred. 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 closed sessions if a public hearing would lead to disclosure of information violating a student’s right privacy under Education Code 49073-49079.

(cf. 9321 - Closed Session Purposes and Agendas)

The Board shall provide the student and his/her parent/guardian with written notice of the closed session by or certified mail. 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 Codes 35146, 48912)

#### On-Campus Suspension Program

Students for whom an expulsion action has not been initiated and who pose no imminent danger or threat to the school may be assigned to a separate, supervised suspension classroom for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

1. The supervised suspension classroom shall be staffed in accordance with law.
2. The student shall have access to appropriate counseling services.
3. The supervised suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.
4. Each student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom. The teacher 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 a supervised 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 shall be made in writing. (Education Code 48911.1)

#### Authority to Expel

A student may be expelled only by the Board. The Board shall expel, as required by law, any student found to have committed certain offenses listed below under “Mandatory Recommendation and Mandatory Expulsion.”

The Board also may order a student expelled for any of the acts listed under “Grounds for Suspension and Expulsion” upon recommendation by the principal, Superintendent, hearing officer or administrative panel, based on finding 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.

#### Mandatory Recommendation for Expulsion

Unless the principal, Superintendent or designee finds that expulsion is inappropriate due to particular circumstances, the principal, Superintendent or designee shall recommend a student’s expulsion for any of the following acts: (Education Code 48915 (a))

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife as defined in Education Code 48915(g), explosive or other dangerous object of no reasonable use to the student.
3. Unlawful possession of any controlled substance, as listed in the Health and Safety Code 11053-11058, except for the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee.

#### Mandatory Recommendation and Mandatory Expulsion



Note: The Attorney General has determined, in 80 Ops.Cal. Atty. Gen. 347 (1997), that a district may not adopt a zero tolerance policy mandating expulsion of a student for a first offense of possession of a controlled substance or alcohol.

The principal, Superintendent or designee shall recommend that the Board expel any student found at school or at a school activity to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife as defined in Education Code 48915(g) at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above.
5. Possessing an explosive as defined in 18 USC 921.

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

The initial recommendation for consideration of expulsion is that of the school principal or the Superintendent. Designees may not make this type of recommendation.

The recommendation for consideration of expulsion shall be submitted to the Director, Office of Student Services, who will review the material and recommend:

1. Reassignment to appropriate regular education program.
2. Refer student to Alternative Program; i.e., Community School, Independent Study, Continuation or Opportunity School, or other district programs.
3. Refer the matter to the Discipline Review Panel for further consideration.

When a case is referred to the discipline Review Panel, the panel shall question school personnel who have information on the incident and the behavior record of the student charged and weighs the evidence presented.

The panel shall, in the case of an expulsion consideration, weigh information presented to determine:

- a. Is the evidence sufficient to support consideration by the expulsion panel?
- b. Has the district, through the schools involved, considered or utilized alternatives to expulsion when possible?
- c. Have due process procedures been adhered to?

The recommendation shall be either to proceed with the expulsion or to utilize an existing practical alternative in lieu of expulsion.

If the district (school) has not adhered to due process requirements, the student shall be returned to school immediately.

If the Discipline Review Panel meets to consider a matter other than an expulsion, it shall provide its best judgment as to an effective alternative program or plan to action.

The recommendation of the Discipline Review Panel shall be forwarded to the Director, Office of Student Services, who shall then review the facts, concur, veto or modify the recommendation.

4. That an expulsion panel be convened.

At the time a recommendation for expulsion is submitted, a hearing shall be scheduled by the Superintendent or designee to determine whether the suspension shall be extended. If the decision is to extend the suspension, the period of time shall be until the Board has rendered a decision or until the expulsion process is otherwise terminated.

The extension of suspension shall be based upon determination by the Superintendent or designee that the presence of the student at the school or in an alternative school placement would cause a danger to persons or property or a threat of disrupting the instructional process. This extension shall be imposed only after the student and the parent/guardian have been given the opportunity to be present at a hearing conducted by the Superintendent or designee. At this time, the student and parent/guardian shall be given the opportunity to be heard and present any information that might bear upon the decision.

Materials which support the decision of the person recommending the expulsion shall be prepared and submitted to the Office of Student Services. The departments of Attendance, Guidance, Special Education and/or Health may be requested to assist in the preparation of this material.

#### Student's Right to Expulsion Hearing

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred. (Education Code 48918 (a))

The student is entitled to 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 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 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 no 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))

#### Waiver of Hearing (Default Proceedings)

If the parent/guardian agrees that their son/daughter behaved essentially in the manner stated in the principals letter recommending expulsion and that such behavior constitutes a violation of the California Education Code, Section 48900, 48900.2, 48900.3, 48900.4, 48900.7 and/or 48915 a suspendable/expellable offense, the parent/guardian may request to waive the Administrative Hearing Panel.

When the parent/guardian agrees to waive the Administrative Hearing Panel, they also waive all notification and timelines related to the expulsion hearing process, along with their rights to appeal the determination of the Board.

The signed affidavit and findings of fact will be submitted to the Board for their approval. The Board has the discretionary power to accept, reject, or modify all recommendations.

#### Rights of Complaining Witness

An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental or emotional needs of a student who is the complaining witness. (Education Code 48918.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to all the following: (Education Code 48918.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing.
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies.
3. Have a closed hearing during the time he/she testifies.

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48918.5)

## Written Notice of the Expulsion Hearing (Education Code 48918(b))

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least 10 calendar days before the date of the hearing. The notice shall include: (Education Code 48900.8, 48918 (b))

1. The date and place of the hearing.
2. A statement of the specific facts, charges and offense upon which the proposed expulsion is based.
3. A copy of district disciplinary rules which relate to the alleged violation.
4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment. This obligation applies when a student is expelled for acts other than those described in Education Code 48915 (a) or (c).  
(cf. 5119 - Students Expelled from other Districts)

5. The opportunity for the student or the student's parent/guardian to appear in person and/or be represented by legal counsel or by a non-attorney advisor.

Legal counsel means an attorney or lawyer who is admitted to the practice of law in California and is an active member of the State Bar of California.

Non-attorney advisor 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.

### Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and 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 request is made, the meeting shall be public, unless another student's privacy rights would be violated.

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to determine if the student should be expelled. If the Board admits any other person to the closed session, the parent/guardian, the student, and the counsel of the student, shall also be allowed to attend the closed session. (Education Code 48918(c))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to have his/her testimony heard in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including but not limited to videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

2. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate written and complete transcription of the proceedings can be made. (Education Code 48918(g))

3. Subpoenas: Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with the Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20, formerly 11525. (Education Code 48918(i))

Any objection raised by the student or the Superintendent or designee to the issuance of subpoenas may be considered by the Board in closed session, or in open session if so requested by the student, before the meeting. The Board's decision in response to such an objection shall be final and binding. (Education Code 48918(i))

If the Board determines, or if the hearing officer or administrative panel finds and submits to the Board, that a witness would be subject to unreasonable risk of harm by testifying at the hearing, a subpoena shall not be issued to compel the personal attendance of that witness at the hearing. However, that witness may be compelled to testify by means of a sworn declaration as described in item #4 below. (Education Code 48918(i))

4. Presentation of Evidence: While technical rules of evidence do not apply to expulsion hearings, 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 must be supported by substantial evidence that the student committed any of the acts listed in "Grounds for Suspension and Expulsion" above.

Findings of fact shall be based solely on the evidence at the hearing. While no evidence 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) and (h))

In cases where a search of a student's person or property has occurred, evidence describing the reasonableness of the search shall be included in the hearing record.

5. Testimony by Complaining Witnesses: The following procedures shall be observed when hearings involve allegations of sexual assault or sexual battery by a student: (Education Code 48918)

- a. Any complaining witness shall be given five days' notice before being called to testify.
- b. Any complaining witness shall be entitled to have up to two adult support persons, including but not limited to a parent/guardian or legal counsel, present during his/her testimony.
- c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- e. If one or both support persons are also witnesses, the hearing shall be conducted according to Penal Code 868.5.
- f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.
- g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.
  - (1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.
  - (2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.
  - (3) The person conducting the hearing may:
    - (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness.
    - (b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
    - (c) Permit one of the support persons to accompany the complaining witness to the witness stand.

6. Decision Within 10 Days: The Board's decision on whether to expel a student shall be made within 10 school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

7. Decision Within 40 Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

Instead of conducting an expulsion hearing itself, the Board may contract with the county hearing officer or with the Office of Administrative Hearings of the State of California for a hearing officer. Alternatively, the Board may 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(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified in "Conduct of Expulsion Hearing."

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 student shall be immediately reinstated. (See "Reinstatement.") The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers, and with the student's parent/guardian. (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 for a period of one year. (See "Decision Not to Enforce Expulsion Order" below.)

The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

#### The Discipline Review Panel

The Discipline Review Panel will consist of elementary educators when a review is being made of an elementary student and of secondary educators when a review is being made of secondary student.

1. The Discipline Review Panel shall hear the following types of disciplinary cases:
  - a. Requests for expulsion from site principals or the Superintendent.
  - b. School site administrative requests for assistance (non-expulsion situations).
2. Each discipline review panel shall consist of three certificated persons plus a chairperson and shall consist of elementary educators when a review is being made of an elementary student and of secondary educators when a review is being made of a secondary student. A panelist may not serve on any panel involving a student who is currently attending the school in which he/she is assigned. A representative from Student Services shall be a nonvoting member of each panel.

A chairperson and assistant chairperson, to serve when the chairperson is unable to serve, shall be appointed by the Superintendent or designee and shall serve at his/her pleasure. Neither shall be a member of the Student Services staff.

A pool of panelists shall be established which shall be composed of personnel who have served or are currently serving as members of administrative expulsion panels. The committee chairman shall select members to serve on individual panels.

The meetings of the discipline review panel are open to school district personnel only.

The duties of the Discipline Review Panel are as follows:

1. The chairperson shall call a meeting of the panel as soon as possible, but no later than 10 school days after the receipt of notice of a pending case.
2. A recommendation must be forwarded to the Director, Office of Student Services, within three days of the review hearing.
3. In the event a member of the committee cannot be present at a meeting, the Director, Office of Student Services, will appoint an alternate from the pool to attend.

#### Final Action by the Board

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel, the final action to expel shall be taken by the Board at a public meeting. (Education Code 48918(j))

(cf. 9321.1 - Closed Session Actions and Reports)

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

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 an act listed under “Mandatory Recommendation and Mandatory Expulsion” above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. (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 of the student at the time of review for readmission.
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service and other rehabilitative programs.

With parental 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 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 in Education Code 48900 (a)-(o), Education Code 48900.2-48900.4, Education Code 48915 (c) and (Education Code 48900.8).
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian. (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Governing Board. (Education Code 48918)
4. Notice of the alternative educational placements 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 Not to Enforce Expulsion Order**

In accordance with Board policy, when deciding whether to suspend the enforcement of an expulsion, the Board shall take into account the following criteria:

1. The student’s pattern of behavior.
2. The seriousness of the misconduct.
3. The student’s attitude toward the misconduct and his/her willingness to follow a rehabilitation program.

The suspension of the enforcement of an expulsion shall be governed by the following: (Education Code 48917)

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.
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status.
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” above or violates any of the district’s rules and regulations governing student conduct.
4. When the suspension of the enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order.
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings.
6. 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 County Board of Education.

7. 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 also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education. (Education Code 48918 (j))

#### Right to Appeal

The student or parent/guardian is entitled to file an appeal of the Board's decision to the County Board of Education. The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion action is suspended and the student is placed on probation. (Education Code 48919)

#### Post-Expulsion Placements

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 such a site.
3. Not housed at the school site attended by the student at the time of suspension.

(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for acts described in items #6 through #13 and #17 through #19 under "Grounds for Suspension and Expulsion" may be instead 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

Readmission procedures shall be as follows:

1. On the date set by the Board when it ordered the expulsion, the district shall consider readmission of the student. (Education Code 48916)
2. 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.
3. The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session if information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it shall be honored.
4. 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.
5. 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)
6. 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. (Education Code 48916)
7. 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)

#### Maintenance of Records

The Board shall maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls, within five days of a written request by the admitting school. (Education Code 48900.8, 48918(k))

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district. (Education Code 48915.1)

(cf. 5119 - Students Expelled from Other Districts)

(cf. 5125 - Student Records)

#### Notifications 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 also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering or sale of controlled substances, alcohol, or intoxicants of any kind. (Education Code 48902)

#### Ouome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion.
2. The grounds for each recommended expulsion.
3. Whether the student was subsequently expelled.
4. Whether the expulsion order was suspended.
5. The type of referral made after the expulsion.
6. The disposition of the student after the end of the expulsion period.

Regulation: REDLANDS UNIFIED SCHOOL DISTRICT

Approved: June 27, 1995, Redlands, California

#### **(D) Procedures to Notify Teachers of Dangerous Pupils (EC 49079)**

Teachers are notified every year per EC 49079 of previous 3 years of any suspension, expulsion, or probation notification of students. Teachers of record are notified of student suspension on the date of suspension. Teachers are notified of any new student enrolled who has previous suspension, expulsion, or probation.



**(E) Sexual Harassment Policies (EC 212.6 [b])**

## Policy 4119.11: Sex Discrimination and Sex-Based Harassment

The Governing Board is committed to providing a safe work environment that is free of harassment and intimidation. The Board prohibits sexual harassment against district employees by anyone, in any manner, and prohibits retaliatory action or behavior against any persons who complains, testifies, or otherwise participates in the complaint process established pursuant to this policy and accompanying administrative regulation. This policy shall apply to all district employees, interns, volunteers, contractors, job applicants, and other persons with an employment relationship with the district.

(cf. 0410 - Nondiscrimination in District Programs and Activities) (cf. 4030 - Nondiscrimination in Employment)

Sexual harassment includes, but is not limited to, harassment that is based on the sex, gender, gender identity, gender expression, or sexual orientation of the victim and harassment based on pregnancy, childbirth, or related medical conditions.

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation, and correction of sexual harassment, including but not limited to:

1. Providing training to all staff in accordance with law and administrative regulation.
2. Publicizing and disseminating the district's sexual harassment policy to staff.
3. Ensuring prompt, thorough, equitable, and fair investigation of complaints
4. Taking timely and appropriate corrective/remedial actions which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments.

The Superintendent or designee shall periodically evaluate the effectiveness of the district's strategies to prevent and address harassment. Such evaluation may involve conducting regular anonymous employee surveys to assess whether harassment is occurring or is perceived to be tolerated, partnering with researchers or other agencies with the needed expertise to evaluate the district's prevention strategies, and using any other effective tool for receiving feedback on systems and/or processes. As necessary, changes shall be made to the harassment policy, complaint procedures, or training.

### Sexual Harassment Reports and Complaints

Any district employee who feels that he/she has been sexually harassed in the performance of their district responsibilities or who has knowledge of any incident of sexual harassment by or against another employee shall immediately report the incident to his/her supervisor, the principal, other district administrator, or the district's Title IX Coordinator. However, an employee may bypass his/her supervisor in filing a complaint if the supervisor is the subject of the complaint. A supervisor, principal, or district administrator who receives a harassment complaint shall promptly notify the Title IX Coordinator.

Once notified, the Title IX Coordinator shall ensure the complaint or allegation is addressed through AR 4119.12/4219.12/4319.12 – Title IX Sexual Harassment Complaint Procedures or AR 4030- Nondiscrimination in Employment, as applicable. Because a complaint or allegation that is dismissed or denied under the Title IX complaint procedure may still be subject to consideration under state law, the Title IX Coordinator shall ensure that any implementation of AR 4119.12/4219.12/4319.12 concurrently meets the requirements of AR 4030.

Notwithstanding the above, BP/AR 4119.12/4219.12/4319.12 and 4030 shall under no circumstances be used to resolve complaints brought by, on behalf of, or against students. All complaints brought by, on behalf of, or against students that allege “sexual harassment” as that term is defined in the federal regulations implementing Title IX of the Education Amendments of 1972 (see 34 C.F.R. § 106, et seq.) shall be investigated and resolved under BP/AR 5145.71. All complaints brought by, on behalf of, or against students that do not meet the definition of “sexual harassment” as set forth in the Title IX implementing regulations shall be investigated and resolved under BP/AR 1312.3.

(cf. 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaints)

The Title IX Coordinator shall offer supportive measures to the complainant and respondent, as deemed appropriate under the circumstances.

Upon investigation of a sexual harassment complaint, any district employee who engages, or participates in sexual harassment, or who aids, abets, incites, compels, or coerces another to commit sexual harassment in violation of this policy is subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Reports) (cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4218 -

Dismissal/Suspension/Disciplinary Action)

#### Regulation 4119.12: Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures

The complaint procedures described in this administrative regulation shall be used to address any complaint governed by Title IX of the Education Amendments of 1972 alleging that a district employee, while in an education program or activity in which a district school exercises substantial control over the context and respondent, was subjected to one or more of the following forms of sexual harassment: (34 CFR 106.30, 106.44)

1. A district employee conditioning the provision of a district aid, benefit, or service on a person's participation in unwelcome sexual conduct
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291 (cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

All other sexual harassment complaints or allegations shall be investigated and resolved in accordance with AR 4030

- Nondiscrimination in Employment. The determination of whether the allegations meet the definition of sexual harassment under Title IX shall be made by the district's Title IX Coordinator.

(cf. 4030 - Nondiscrimination in Employment)

Because the complainant has a right to pursue a complaint under AR 4030 for any allegation that is dismissed or denied under the Title IX complaint procedure, the Title IX Coordinator shall ensure that all requirements and timelines for AR 4030 are concurrently met while implementing the Title IX procedure.

#### Reporting Allegations/Filing a Formal Complaint

An employee who is the alleged victim of sexual harassment may submit a report of sexual harassment to the district's Title IX Coordinator using the contact information listed in AR 4119.11/4219.11/4319.11 - Sexual Harassment or to the employee's direct supervisor or other district administrator, who shall forward the report to the Title IX Coordinator within one day of receiving the report. Upon receiving such a report, the Title IX Coordinator shall inform the complainant of the right to file a formal complaint and the process for filing a formal complaint.

A formal complaint, with the complainant's physical or digital signature, may be filed with the Title IX Coordinator in person, by mail, by email, or by any other method authorized by the district. (34 CFR 106.30)

Even if the alleged victim chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations when a safety threat exists. In addition, the Title IX Coordinator may file a formal complaint in other situations as permitted under the Title IX regulations, including as part of the district's obligation to not be deliberately indifferent to known allegations of sexual harassment. In such cases, the Title IX Coordinator shall provide the alleged victim notices as required by the Title IX regulations at specific points in the complaint process.

The Title IX Coordinator, investigator, decision-maker, or a facilitator of an informal resolution process shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. Such persons shall receive training in accordance with 34 CFR 106.45. (34 CFR 106.45)

#### Supportive Measures

Upon receipt of a report of Title IX sexual harassment, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures and shall consider the complainant's wishes with respect to the supportive measures implemented. Supportive measures shall be offered as appropriate, as reasonably available, and without charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures shall be nondisciplinary, nonpunitive, and not unreasonably burden the other party, including measures designed to protect the safety of all parties or the district's educational environment or to deter sexual harassment. Supportive measures may include, but are not limited to, counseling, extensions of deadlines, modifications of work schedules, mutual restrictions on contact, changes in work locations, leaves of absence, increased security, and monitoring of certain areas of the campus. (34 CFR 106.30, 106.44)

The district shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the district's ability to provide the supportive measures. (34 CFR 106.30)

#### Emergency Removal

If a district employee is the respondent, the employee may be placed on administrative leave during the pendency of the formal complaint process. (34 CFR 106.44)

If the respondent is a student, the district may, on an emergency basis, remove the student from the district's education program or activity, provided that the district conducts an individualized safety and risk analysis, determines that removal is justified due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations, and provides the student with notice and an opportunity to challenge the decision immediately following the removal. This authority to remove a student does not modify a student's rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973. (34 CFR 106.44)

#### Dismissal of Complaint

The Title IX Coordinator shall dismiss a formal complaint if the alleged conduct would not constitute sexual harassment as defined in

34 CFR 106.30 even if proved. The Title IX Coordinator shall also dismiss any complaint in which the alleged conduct did not occur in the district's education program or activity or did not occur against a person in the United States, and may dismiss a formal complaint if the complainant notifies the district in writing that the complainant would like to withdraw the complaint or any allegations in the complaint, the respondent is no longer employed by the district, or sufficient circumstances prevent the district from gathering evidence sufficient to reach a determination with regard to the complaint. (34 CFR 106.45)

Upon dismissal, the Title IX Coordinator shall promptly send written notice of the dismissal and the reasons for the dismissal simultaneously to the parties and shall inform them of their right to appeal the dismissal of a formal complaint or any allegation in the complaint in accordance with the appeal procedures described in the section "Appeals" below. (34 CFR 106.45)

If a complaint is dismissed, the conduct may still be addressed pursuant to AR 4030 - Nondiscrimination in Employment as applicable.

#### Informal Resolution Process

When a formal complaint of sexual harassment is filed, the district may offer an informal resolution process, such as mediation, at any time prior to reaching a determination regarding responsibility. The district shall not require a party to participate in the informal resolution process or to waive the right to an investigation and adjudication of a formal complaint. (34 CFR 106.45)

The district may facilitate an informal resolution process provided that the district: (34 CFR 106.45)

1. Provides the parties with written notice disclosing the allegations, the requirements of the informal resolution process, the right to withdraw from the informal process and resume the formal complaint process, and any consequences resulting from participating in the informal resolution process, including that records will be maintained or could be shared.
2. Obtains the parties' voluntary, written consent to the informal resolution process

#### Written Notice

If a formal complaint is filed, the Title IX Coordinator shall provide the known parties with written notice of the following: (34 CFR 106.45)

1. The district's complaint process, including any informal resolution process
2. The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known. Such notice shall be provided with sufficient time for the parties to prepare a response before any initial interview. If, during the course of the investigation, new Title IX allegations arise about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.
3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process
4. The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an attorney, and the ability to inspect and review evidence
5. The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process

The above notice shall also include the name of the investigator, facilitator of an informal process, and decision-maker and shall inform the parties that, if at any time a party has concerns regarding conflict of interest or bias regarding any of these persons, the party should immediately notify the Title IX Coordinator.

#### Investigation Procedures

During the investigation process, the district's designated investigator shall: (34 CFR 106.45)

1. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and

exculpatory evidence

2. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence
3. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney
4. Not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding, although the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as the restrictions apply equally to both parties
5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate
6. Send in an electronic format or hard copy to both parties and their advisors, if any, the evidence obtained as part of the investigation that is directly related to the allegations raised in the complaint, and provide the parties at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report
7. Objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and determine credibility in a manner that is not based on a person's status as a complainant, respondent, or witness
8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review and written response

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. (34 CFR 106.45)

Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.

If the complaint is against an employee, rights conferred under an applicable collective bargaining agreement shall be applied to the extent they do not conflict with the Title IX requirements.

#### Written Decision

The Superintendent shall designate an employee as the decision-maker to determine responsibility for the alleged conduct, who shall not be the Title IX Coordinator or a person involved in the investigation of the matter. (34 CFR 106.45)

After the investigative report has been sent to the parties but before reaching a determination regarding responsibility, the decision-maker shall afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party.

The decision-maker shall issue, and simultaneously provide to both parties, a written decision as to whether the respondent is responsible for the alleged conduct. (34 CFR 106.45)

The written decision shall be issued within 60 calendar days of the receipt of the complaint.

The timeline may be temporarily extended for good cause with written notice to the complainant and respondent of the extension and the reasons for the action. (34 CFR 106.45)

In making this determination, the decision-maker shall use the "preponderance of the evidence" standard for all formal complaints of sexual harassment. (34 CFR 106.45)

The written decision shall include the following: (34 CFR 106.45)

1. Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR 106.30

2. A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the district includes hearings as part of the grievance process
3. Findings of fact supporting the determination
4. Conclusions regarding the application of the district's code of conduct or policies to the facts
5. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's educational program or activity will be provided by the district to the complainant
6. The district's procedures and permissible bases for the complainant and respondent to appeal

## Appeals

Either party may appeal the district's decision or dismissal of a formal complaint or any allegation in the complaint, if the party believes that a procedural irregularity affected the outcome, new evidence is available that could affect the outcome, or a conflict of interest or bias by the Title IX Coordinator, investigator(s), or decision-maker(s) affected the outcome. If an appeal is filed, the district shall: (34 CFR 106.45)

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties
2. Ensure that the decision-maker(s) for the appeal is trained in accordance with 34 CFR 106.45 and is not the same decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator
3. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome
4. Issue a written decision describing the result of the appeal and the rationale for the result
5. Provide the written decision simultaneously to both parties

An appeal must be filed in writing within 10 calendar days of receiving the notice of the decision or dismissal, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered.

A written decision shall be provided to the parties within 20 calendar days from the receipt of the appeal.

Either party has the right to file a complaint with the U.S. Department of Education's Office for Civil Rights within 180 days of the date of the most recently alleged misconduct.

The complainant shall be advised of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal antidiscrimination laws, if applicable.

## Remedies

When a determination of responsibility for sexual harassment has been made against the respondent, the district shall provide remedies to the complainant. Such remedies may include the same individualized services described above in the section "Supportive Measures," but need not be nondisciplinary or nonpunitive and need not avoid burdening the respondent. (34 CFR 106.45)

## Disciplinary Actions

The district shall not impose any disciplinary sanctions or other actions against a respondent, other than supportive measures as described above in the section "Supportive Measures," until the complaint procedure has been completed and a determination of responsibility has been made. (34 CFR 106.44)

When an employee is found to have committed sexual harassment or retaliation, the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Report)

(cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4119.11/4219.11/4319.11 - Sexual Harassment) (cf. 4218 - Dismissal/Suspension/Disciplinary Action)

## Record-Keeping

The Superintendent or designee shall maintain, for a period of seven years: (34 CFR 106.45)

1. A record of all reported cases and Title IX investigations of sexual harassment, any determinations of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary sanctions imposed, any remedies provided to the complainant, and any appeal or informal resolution and the results therefrom.
2. A record of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment, including the district's basis for its conclusion that its response was not deliberately indifferent, the measures taken that were designed to restore or preserve equal access to the education program or activity, and, if no supportive measures were provided to the complainant, the reasons that such a response was not unreasonable in light of the known circumstances.
3. All materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process. The district shall make such training materials publicly available on its web site, or if the district does not maintain a web site, available upon request by members of the public.

(cf. 1113 - District and School Web Sites) (cf. 3580 - District Records)

#### **(F) School-wide Dress Code Relating to Gang-Related Apparel (EC 35183)**

Policy 5132.16: Student Dress Guidelines

The Governing Board believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Students' clothing must not present a health or safety hazard or a distraction which would interfere with the educational process.

Students and parents/guardians shall be informed about dress and grooming standards at the beginning of the school year and whenever these standards are revised. A student who violates these standards shall be subject to appropriate 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 dress code may be included as part of the school safety plan and must be presented to the Board for approval. The Board shall approve the plan upon determining that it is necessary to protect the health and safety of the school's students.

##### **Uniforms**

The Board recognizes that, in order to promote student safety and discourage peer rivalry and/or gang activity, the principal, staff and parent/guardian at a school site may wish to establish a reasonable dress code, which may include voluntary school uniforms.

Dress codes, which include voluntary school uniforms, may be included as part of the school safety plan submitted as required.

The Superintendent or designee shall establish procedures that schools, parents and guardians will follow if they decide to participate with the voluntary school uniform policy. Students shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardian decide not to participate.

The Governing Board feels that there is nothing inherently wrong with dress or color of dress, but when student's dress serves to intimidate or impede the rights of other students it will be determined that dress is in violation of this policy. A student may not remain at school dressed in a manner which (1) creates a safety hazard for said student or for other students at school, and/or (2) when the dress constitutes a serious and unnecessary distraction to the learning process or tends to disrupt campus order

When the site administrator/designee determines that a student's attire is in violation of this policy, the student will be required to modify his/her clothing and/or apparel in such a manner that it no longer violates this policy. If necessary, the student may be taken or sent home with parental permission to modify unacceptable dress and return to school. Refusal to take steps as described in this policy shall be cause for disciplinary action against the student. Any such disciplinary action shall be handled pursuant to existing student disciplinary policy



Parents/guardians have primary responsibility to see that students are properly attired for school. School district personnel have the responsibility for maintaining proper and appropriate conditions conducive to learning. Hence, the following guidelines will be implemented in all district schools.

1. Shoes will be worn at all times. A substantial sole is required and enclosed toe and heel footwear are highly encouraged.
2. Extremely brief garments that are distracting to the educational environment are not appropriate. Clothing shall be sufficient to conceal undergarments at all times.
3. Clothing or accessories shall be free of writing, pictures or any other insignia which are crude, violent, obscene or sexually suggestive or which advocate racial, ethnic or religious prejudice or the use of tobacco, drugs or alcohol.
4. Earrings, jewelry, or accessories which present a safety hazard to the wearer or others are not suitable for school wear.
5. Only prescription sunglasses may be worn in class. Other types of sunglasses may be worn on campus outside of class.
6. Identified gang attire such as bandannas, haircuts or hair rollers, or any gang paraphernalia are prohibited.

Students are allowed to wear sun protective clothing, including hats, while outdoors during the school day. Each school site will develop a policy indicating the type of sun protective hats that are permitted.

No grade of a student participating in a physical education class shall be adversely affected if the student does not wear standardized physical education apparel because of circumstances beyond the student's control. (Education Code 49066) All clothing worn during physical education shall meet reasonable safety standards.

The purpose of adopting these Student Dress Guidelines is not to infringe on any individual student's rights to freedom of expression, but rather to encourage students to dress appropriately and come to school properly prepared for participating in the educational process.

#### Gang-Related Apparel

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed as needed and updated as necessary.

#### Uniforms

In schools where a majority of parents respond and indicate on a survey that they desire to establish a voluntary school-wide uniform dress code, the principal, staff and the parents/guardians of the individual school site shall:

1. Jointly select the specific uniform to be worn. (Education Code 35183)
2. Describe the uniform parts and identify local vendors who sell those pieces of clothing. A description of the implementation of the voluntary uniform dress code will be submitted to the superintendent's designee including:
  - a. The process for parent notification
  - b. Positive procedures that will be used to encourage students to participate with the voluntary uniform dress code
3. A description of the uniform and a list of costs for each competitively priced item of clothing as provided by a variety of vendors will be sent to parents.
4. Parents will be notified that this is a voluntary uniform dress code and that students not participating shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardians so decide.

#### Parent Notification

The principal shall give parents/guardian at least six months notice before a school site implements a voluntary school uniform dress code. (Education Code 35183)

**(G) Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School (EC 35294.2)**

Single point of entry for all parents and visitors. Visitors required to raptor in and wear visitor badge while on campus. Staff required to Raptor in and wear district ID badges while on campus. Dedicated gates for student Ingress and Egress per student handbook.

**(H) A Safe and Orderly School Environment Conducive to Learning (EC 35294.2)**

**Component:**

Physical Environment

**The Schools' Location and Physical Environment**

Citrus Valley High School is located in the Redlands area of San Bernardino County that has an average crime rate and 10.6% poverty level. The immediate area round the school includes residential, agricultural, and open acreage. The 210 freeway is adjacent to the school campus. Present safety hazards include overhead powerlines, immediate flight path for two local airports, and an adjacent freeway..

**Description of School Grounds**

The school site encompasses 60 acres. The grounds are grass, concrete and asphalt and includes basketball and volleyball courts, baseball diamonds and a lined track. There are several wings and/or clusters of classrooms including 105 classrooms no re-locatable classrooms. Other ancillary structures include a gated football/soccer stadium, theater, gymnasium, and cafeteria (i.e., Blackhawk Bistro)..

During the school day, staff members and administrators shall provide campus supervision. Identified problem areas receive increased supervision to reduce discipline, crime, or other school safety concerns. A revised hallway pass policy that includes color coded, teacher assigned, lanyards will be used so it is visually easy to identify students that are out of class to use the restroom or visit the administration office or direct students back to class.

It shall be the practice of Citrus Valley High School to remove all graffiti from school property before pupils arrive to begin their school day. Other acts of vandalism are promptly addressed.

**Maintenance of School Buildings/Classrooms**

The school's physical facility is well maintained and generally looks neat and clean. The school was most recently painted n/a renovated during the n/a year. District personnel periodically examine the school's physical facility and help eliminate obstacles to school safety. Additionally, health and fire department inspectors contribute to school safety.

**Internal Security Procedures**

Citrus Valley High School has established procedures in the following areas: California Safe School Assessment (CSSA) reporting procedures, suspension and expulsion procedures, inventory system, and ongoing safety/security evaluations and a school safety committee.

Citrus Valley High School crime statistics reflect a total of 1.9% crimes reported during the 2023-2024 school year.

Keeping reportable crimes at a minimum requires constant vigilance. The following strategies will be utilized in achieving this goal campus-wide security cameras and physical patrols by safety personnel on bikes and other modes of transportation.

Citrus Valley High School maintains a copy of the district's sexual harassment policy in the main office/principal's office and the policy is available on request. The District's Sexual Harassment Policy contains dissemination plans, applicable definitions, reporting requirements, investigation procedures, enforcement regulations, and information related to suspension and/or expulsion for sexual harassment of or by pupils. Additionally, a notice summarizing this sexual harassment policy appears in the Parent & Student Handbook, The parent student handbook is distributed at the beginning of each school year to all parents and pupils.

To ensure the safety of pupils and staff, all visitors to the campus, except pupils of the school and staff members, shall register immediately upon entering any school building or grounds when school is in session. All district employees shall wear appropriate identification badges while on campus conducting business.

Discipline procedures shall focus on finding the cause of problems and working with all concerned to reach the proper, lawful solutions. The school's discipline plan begins at the classroom level. Teachers shall use a visible classroom management plan to communicate classroom rules, promote positive pupil conduct, and reduce unacceptable conduct. Appropriate consequences are administered based on the seriousness of the pupil's misbehavior.

Pupil conduct standards and consequences for Citrus Valley High School are specifically described in this Comprehensive Schools Safety Plan including: (a) the adopted school discipline rules and procedures, (b) District Disciplinary Guidelines, and (c) the adopted school-wide dress code.

Pupils may be suspended, transferred to another school, or recommended for expulsion or for certain acts. For specific student violations, a mandatory expulsion recommendation shall be submitted by the administration of Citrus Valley High School.

Site administrators contribute to a positive school climate, promote positive pupil behavior, and help reduce inappropriate conduct. The principal/designee uses available district and other appropriate records to inform teachers of each pupil identified under E.C. 49079.

Law enforcement is contacted and consulted to help maintain and to promote a safe and orderly school environment. Citrus Valley High School employees comply with all legal mandates, regulations, and reporting requirements for all instances of suspected child abuse.

If appropriate, additional internal security procedures affecting the integrity of the school facility include: campus-wide security cameras, Raptor emergency management system for all staff and visitor check-in to campus, various drills, locking gates on campus after school hours, closing gates during school hours, use of hand-held radios for internal/external communication, and ongoing safety/security evaluations.

Community involvement is encouraged to help increase school safety.

Parents and community members are encouraged to attend our PTSA ,SSC and Safety Committee meetings. Security, School Resource Officer and administrative personnel attend monthly Police-Liason Meetings with local law enforcement and other RUSD personnel.

Inventory System - Engraved ID, Security Storage

Most school-site equipment has a metal ID tag or a bar cod sticker adhered to its surface. These items are inventoried annually and there is an established accountability system. Office and classroom supplies are secured.

#### **Element:**

##### **Goal 1:**

To maintain the physical structure and school culture as created in 2009-2010.

#### **Opportunity for Improvement:**

##### **a. Pride**

1. The CVHS campus was completed in 2010. At the time of the build, the campus was the most technologically advanced campus in the Inland Empire, with a majority of the available technology being designated for instructional or student use.
2. The staff and students of CVHS work together to preserve and embody the school culture of CLASS: Character, Leadership, Attitude, Scholarship, and Service.

##### **b. Areas of Desired Improvement**

1. Increased attention to the facility as it ages and has more use.
2. Teach each new class of students the importance of our school culture, behavior expectations, and CLASS.

| Objectives                                                                                                                        | Action Steps                                                                                                                                                                                                                                                                                     | Resources                                                                                                                                                                                   | Lead Person                                                                                                                               | Evaluation                                                                                                                                                                    |
|-----------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| II. Desired Change #1<br>Increased attention to the facility as it ages and has more use.                                         | a. Related Strategies and Activities<br>1. Improve attention to cleanliness and maintenance of facilities as evidenced in the Custodial and Grounds PLC rubric.<br>2. Regular meetings with lead custodian and assistant principal to maintain communication and updates on facility management. | b. Resources Required<br>1. Results of District PLC rubric<br>2. Support from site personnel and the Maintenance and Operations Department<br>e. Budget<br>1. SSP/General<br>2. SSP/General | c. Personnel Assignments<br>1. Custodial Leads and Assistant Principal-campus walks, meet<br>2. Service Center Personnel-PLC walkthroughs | f. Evaluation criteria<br>1. PLC scores<br>2. Visible improvements to facility<br>d. Timeframe for completion<br>1. Ongoing<br>2. Ongoing                                     |
| III. Desired Change #2<br>Teach each new class of students the importance of our school culture, behavior expectations and CLASS. | a. Related Strategies and Activities<br>1. Link Crew shares the culture of CLASS with incoming freshmen at orientation and throughout the school year.<br>2. Staff continues to reinforce CLASS through PBIS.<br>3. Administration conducts Freshman Visits                                      | b. Resources Required<br>1. Link Crew training<br>2. CLASS Report<br>e. Budget<br>1. SSP/GENL<br>2. SSP/GENL                                                                                | c. Personnel Assignments<br>1. Rebecca Strode/Kate Fonken-Link Crew Leader<br>2. All Staff                                                | f. Evaluation criteria<br>1. Grades/Attendance/Referrals/Suspensions<br>2. Grades/Attendance/Referrals/Suspensions<br>d. Timeframe for completion<br>1. Ongoing<br>2. Ongoing |

#### Component:

School Climate

#### The School's Social Environment

Leadership at Citrus Valley High School is a shared process. A proactive role is assumed in all phases of the school operation. The current management team is committed to developing Citrus Valley High School toward excellence in the areas of academic and social behavior.

The principal sets a positive tone for the school, guides the staff and works closely with them on curriculum and school safety issues. The school site's organizational structure is open and flexible contributing to sensitivity concerning school safety issues and promoting a safe, orderly school environment conducive to learning.

#### Disaster Procedures, Routine and Emergency

A contingency plan for emergencies is contained in a handbook available to each staff member. The District's Emergency Response Plan - (ERP Plan) is listed at the last section of this plan. The plan is reviewed at the beginning of each school year. This plan also contains available district and outside agency resources, emergency disaster procedures and information on Standardized Emergency Management System (SEMS).

#### Classroom Organization and Structure

- Inclusion
- SDAIE

- Honors/AP
- Student-Centered/Cooperative Learning
- Technology (i.e., interactive white boards, Newline boards, iPads, Chromebooks/Laptops, coding classes and clubs, etc).

Citrus Valley High School teachers provide a varied learning environment in their classrooms. Teachers use a variety of teaching strategies including: inquiry driven, collaborative instructional strategies, assessment strategies, and activities.

The teachers at Citrus Valley High School are highly qualified, with many teachers holding advanced degrees. The staff is united in their desire to provide quality education for all pupils. Classrooms and teachers provide safe, orderly learning environment, enhance the experience of learning, and promote positive interactions amongst pupil and staff. Instructional time is maximized and disruptions are minimized.

#### The School's Cultural Environment

There is a high level of cohesiveness among the staff members at Citrus Valley High School. Cooperation and support between teachers and the administration is evident. Efforts are made by the administration and staff to show concern for all pupils.

All pupils are expected to behave in a manner that promotes safety and order. Pupils are encouraged to bring problems to the principal, assistant principal, counselor, teacher or other staff members. The everyday goal is for the staff to be proactive rather than reactive in all situations of concern.

The academic and behavior efforts of pupils are recognized and rewarded.

- Incorporating CLASS/PBIS into all CVHS does
- Following an inclusion model for special education
- Having staff follow the Blackhawk Way
- Chartering the following clubs: Asian Student Union, Blackhawks for Change, Black Student Union, Jesus at Citrus, and CV Run for God, Prisms Club, Truth and Love Club.

Cultural diversity is celebrated throughout the year by various heritage month activities, and activities planned by Black Student Union, Asian Student Union, and others.

#### **Element:**

##### Goal 2:

To follow the CLASS standard in order to maintain pride within a positive environment.

#### **Opportunity for Improvement:**

##### I. Areas of Pride and Desired Improvements

###### a. Pride

1. Promoting CLASS
2. Presenting Student Behavior Expectations (PBIS)

###### b. Areas of Desired Improvement

1. Student Attendance
2. Appropriate behaviors in classrooms, quad, hallway, restrooms and at extra-curricular events

| Objectives                                                                         | Action Steps                                                                                                                                                                        | Resources                                                                                                                      | Lead Person                                                                                                                                             | Evaluation                                                                                                                                                                                                                  |
|------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| II. Desired Change #1<br>Fewer suspensions for violation of school rules           | a. Related Strategies and Activities<br>1. Model CLASS<br>2. Use of PBIS                                                                                                            | b. Resources Required<br>1. CLASS/PBIS Posters<br>2. PBIS Staff Trainings<br><br>e. Budget<br>1. SSP/General<br>2. SSP/General | c. Personnel Assignments<br>1. Teachers-Present expectations to classes<br>2. All Staff - Maintain classroom policies and procedures that promote CLASS | f. Evaluation criteria<br>1. Number of suspensions compared to previous school year<br>2. New CA State Accountability Dashboard<br><br>d. Timeframe for completion<br>1. On-going<br>2. On-going                            |
| III. Desired Change #2<br>Increase student engagement and connectiveness to school | a. Related Strategies and Activities<br>1. Integration of 5-Star platform<br>2. Free admission to all athletic events, performing arts events, and other on campus school functions | b. Resources Required<br>1. 5 star app<br>2. ASB card<br><br>e. Budget<br>1. SSP/General<br>2. SSP/General                     | c. Personnel Assignments<br>1. All staff-encourage the implementation and use of 5-star<br>2. Principal-implementation of funding for free ASB card     | f. Evaluation criteria<br>1. 5-star provided data that tracks level of participation and engagement<br>2. 5-star and manual attendance logs at school events<br><br>d. Timeframe for completion<br>1. Ongoing<br>2. Ongoing |

## (I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5)

### Citrus Valley High School Student Conduct Code

Procedures to Ensure a Safe and Orderly Environment

#### Rules and Procedures on School Discipline

#### Philosophy of Discipline

- Behavior expectations and the consequences for not meeting expectations must be clearly communicated to all students and their parents (in writing as well as verbally).
- The severity of consequences for violating behavior expectations increases with each incident of inappropriate behavior.
- The consequences for violating behavior expectations should be severe enough to discourage students from making poor behavior decisions.
- Expectations and consequences should permit students an opportunity to eliminate inappropriate behavior.

Additionally, the school staff recognizes that the middle school years are a transition time from adolescence to young adulthood. As a part of this transition, the student is given greater opportunities to be responsible and demonstrate independence and good judgment. The structure of our behavior expectations (in the classroom as well as school wide) is meant to encourage students to be responsible. The first step in many instances of inappropriate behavior (those considered to be "minor") is a simple warning ("Your behavior is unacceptable. Please stop such behavior"). It is only when a student ignores such warnings and continues to choose to act irresponsibly (like a child rather than an emerging adult) that we involve parents and implement consequences.

#### Elements of a Good Discipline Program

1. The program is focused upon making the entire campus, especially the classroom, a safe, supportive and orderly environment for learning for students and staff.
2. Classroom authority is retained by the classroom teacher. (Administration's role is to support, not to replace.)
3. Rules and procedures are clearly understood by staff and students.
4. All staff members will acknowledge and take appropriate action on any minor or major infraction of the school rules.
5. Rules and procedures comply with State Law and District policies.
6. The program recognizes the responsibilities and the rights of students and staff.
7. Program is structured to keep students in class and engaged in the educational process.
8. Rules are enforced:
  - A. by all staff members at all times.
  - B. strictly, but not rigidly (beware of "automatics").
  - C. in substantial part by adult modeling.
  - D. using techniques that promote the growth of positive self-esteem.
  - E. as close to the source as is possible.
  - F. by keeping parents informed.
9. The discipline program is understood, endorsed, and supported by staff, parents, and students.

#### PRINCIPAL'S STATEMENT TO EDMS STAFF

##### Expectations in Developing & Maintaining Discipline

As Principal of our school, I will expect;

Each teacher to have a defined system of classroom management. A written description of this system, including representative examples of the progressive interventions you intend to employ, will be approved and filed by me. Whenever possible and appropriate, teachers are encouraged to use standards and systems that are consistent with other village/department members.

You can expect

Each administrator to assist and support you in every reasonable way in developing, implementing, and refining that system as needed.

I will expect

That when you refer a student for discipline:

1. The student has been made fully aware of classroom and school rules and knows what rules he/she has violated.
2. Teachers within a village will discuss any continuing behavior problems and schedule a team conference with the student and parents when appropriate.
3. That information will be provided on the referral regarding previous actions you have taken regarding this specific issue.
4. You have exhausted the interventions at your disposal (i.e., you have done everything you can do) and you have followed the guidelines established by the administration and staff on what constitutes an appropriate behavior referral.
5. The behavior was so serious or so blatant as to make immediate removal from the classroom necessary.
6. The written referral will be explicit in stating the offense(s).
7. You will send the student out of class with a referral only if his/her continued presence in the class would disrupt or prevent teaching and/or learning.
8. If necessary, the referral will be delivered to the office at a time convenient to the staff member so that the issue may be handled most efficiently, causing a minimum of lost class time.

You can expect

1. Each administrator to support your position in every reasonable way.
2. A response time on your referral of one, or at most, two days.

3. The availability of an administrator to discuss unresolved referrals after school on any given day.
4. That the administrator will exercise independent judgment regarding disposition of referrals.

I will expect

1. That each teacher will go to the doorway of his/her classroom after each class period as often as possible and assume control of student behavior in the corridor.
2. That each staff member will hold students accountable for their behavior on the school grounds at all times.

You can expect

1. Administrator support, investigation, and follow-through as indicated.
2. A response to referrals from incidents outside the classroom to be the same as to those within.

#### WHAT TO DO WHEN PROBLEMS APPEAR

Both behavioral and academic problems are present in some of our students. Teachers often ask for guidelines for dealing with these problems. Here they are:

1. Talk to the administrator assigned to your grade level.
2. Call parents at first sign of concern. Inform the parents of your observations, ask for their ideas, assistance, and support in serving the student. Keep a log of your calls.
3. If possible, talk privately to the student about your concerns.
4. Behavior concerns—look through students' CUM file. Any official suspensions will be in file, also look for teacher comments on report cards. Look for patterns of behavior. We use In-House Suspension whenever possible, as it is preferable to having students at home unattended—and it saves the district money. Serious infractions (fighting, threats, etc.) do result in official suspension. Unresponsive students can be moved to other schools or expelled.
5. Referrals—please remember if you write a student referral, you are required to call the parents. You are writing the referral and can answer the parents' questions firsthand. Administrators will also call parents, but we can only give secondhand information on the incident.
6. Academic Concerns—again, look through student CUM. This will contain test scores, report cards, and a student history. You may want to ask the grade level administrator to schedule a Student Study Team (SST). This will involve a meeting with the student, parents, administrators, students' teachers, and perhaps the psychologist

#### Conduct Code Procedures

CVHS uses progressive discipline to enforce infractions of the educational code and/or school policies. Other means of correction are used when appropriate. Other means of correction include but are not limited to restorative practices, alternative drug/substance abuse counseling, conflict mediation, peer to peer mentoring, and alternatives to suspension.

#### (K) Hate Crime Reporting Procedures and Policies

Use Sprigeo, or Bullying/Title IX Harassment Submission form on the Redlands Unified School District website for anonymous reporting of any incident including but not limited to bullying, harassment, or discrimination. See Something Say Something, Title IX, UCP postings in every classroom and student-used areas.

#### (J) Procedures to Prepare for Active Shooters

Lockdown Drill Practiced annually and documented in Raptor Emergency Management System.

#### Procedures for Preventing Acts of Bullying and Cyber-bullying

Modelling of C.L.A.S.S. tenants to create a positive, safe culture on campus. Bully Prevention Week held in October annually. Sprigeo and Bullying/Title IX database available to all stakeholders, appointment of Assistant Superintendent of Compliance and Title IX, for anonymous reporting of acts of bullying.



## **Safety Plan Review, Evaluation and Amendment Procedures**

Safety Plan reviewed with staff annually, evaluated by safety committee annually, and amended as needed for approval by School Site Council.

### Safety Plan Review, Evaluation and Amendment Procedures

| <b>Activity Description</b><br>(i.e. review steps, meetings conducted, approvals, etc) | <b>Date and Time</b> | <b>Attached Document</b><br>(description and location) |
|----------------------------------------------------------------------------------------|----------------------|--------------------------------------------------------|
| Assistant Principal over Safety Reviews and Updates Plan                               |                      |                                                        |
| Safety Committee formed and Reviews Plan each semester                                 |                      |                                                        |
| School Site Council reviews and approves plan by end of first quarter                  |                      |                                                        |

## **Emergency Response Guidelines**

### **Step One: Identify the Type of Emergency**

### **Step Two: Identify the Level of Emergency**

### **Step Three: Determine the Immediate Response Action**

### **Step Four: Communicate the Appropriate Response Action**

## **Types of Emergencies & Specific Procedures**

### **Earthquake**

Earthquakes generally occur without warning and may cause minor to serious ground shaking, damage to buildings, and injuries. It is important to note that even a mild tremor can create a potentially hazardous situation and the following procedures should be implemented in response to all earthquakes regardless of magnitude.

#### **Procedure**

Note: Keep calm and remain where you are. Assess the situation, and then act. Remember, most injuries or deaths are the direct cause of falling or flying debris.

1. Upon the first indication of an earthquake, teachers should direct students to DUCK AND COVER
2. Move away from windows and overhead hazards to avoid glass and falling objects.
3. When the shaking stops, the School Administrator will initiate the EVACUATE BUILDING action. Staff and students will evacuate the buildings using prescribed routes or other safe routes to the Assembly Area.
4. In the event of an evacuation, Teachers will bring their student roster and take attendance at the Assembly Area to account for students. Teachers will notify the Assembly Area Team of missing students.
5. The School Administrator will direct the Security/Utilities Team to post guards a safe distance away from building entrances to prevent access.
6. The Security/Utilities Team will notify school personnel of fallen electrical wires and instruct them to avoid touching the fallen wires.
7. The First Aid/Medical Team will check for injuries and provide appropriate first aid.
8. The School Administrator will direct the Security/Utilities Team to notify the appropriate utility company of damages (e.g., gas, power, water, or sewer).
9. If the area appears safe, the Search and Rescue Team will make an initial inspection of school buildings to identify any injured or trapped students or staff.

10. The School Administrator will contact the Local District Superintendent to determine additional actions that may be necessary. In turn, the actions will be communicated to the District's Office of Communications.
11. The School Administrator will contact the Local District Facilities Director to ensure buildings are safe for re-occupancy. When safe to do so, the Fire Suppression and HazMat Team will conduct an inspection of school buildings. The Fire Suppression and HazMat Team will maintain a log of their findings, by building, and provide a periodic report to the Incident Commander.
12. Any affected areas will not be reopened until the Local District Facilities provides clearance and the School Administrator gives authorization to do so.
13. The School Administrator will initiate an OFF-SITE EVACUATION, if warranted by changes in conditions at the school.

In the event an earthquake occurs during non-school hours:

1. The School Administrator and the Plant Manager will assess damages to determine any necessary corrective actions. The School Administrator may direct the Fire Suppression and HazMat Team to participate in the assessment.
2. The School Administrator should confer with the Local District Superintendent on identified damages to determine if the school should be closed.
3. If the school must be closed, the School Administrator will activate Parent Alert System and School Personnel Alert System as referenced in Section 5.0.

#### **Fire in Surrounding Area**

This procedure addresses the situation where a fire is discovered in an area adjoining the school. The initiated response actions should take into consideration the location and size of the fire, its proximity to the school and the likelihood that the fire may affect the school.

#### **Procedure**

1. The School Administrator will initiate the appropriate Immediate Response Actions, which may include SHELTER-IN-PLACE, LOCK DOWN, EVACUATE BUILDING or OFF-SITE EVACUATION.
2. The School Administrator will notify "911" and Redlands PD, the school's local law enforcement agency, at (909) 798-7681 and Redlands Fire Department [909-798-7600] and will provide the location and nature of emergency.
3. The School Administrator will instruct the Security/Utilities Team to prevent students from approaching the fire and keep routes open for emergency vehicles.
4. The Agency Liaison will contact the local fire department and will work with the fire department to determine if school grounds are threatened by the fire, smoke, or other hazardous conditions.
5. If the School Administrator issues the EVACUATE BUILDING action, staff and student will evacuate the affected building(s) using prescribed routes or other safe routes to the Assembly Area.
6. In the event of an evacuation, Teachers will bring their student roster and take attendance at the Assembly Area to account for students. Teachers will notify the Assembly Area Team of missing students.
7. The School Administrator will keep a battery-powered radio tuned to a local radio station for emergency information.
8. As appropriate, the School Administrator will activate Parent Alert System.
9. The School Administrator will notify the Local District Superintendent of the emergency situation. A member of this group will call the Office of Communications with information of this situation.

10. If needed, the School Administrator will notify Bus Dispatch to request busses for staff and student evacuation.
11. The School Administrator will initiate an OFF-SITE EVACUATION, if warranted by changes in conditions.

### **Fire on School Grounds**

This procedure addresses situations where a fire is discovered on school grounds. A quick response to this situation is very important to prevent injuries and further property damage.

#### **Procedure**

1. Upon discovery of a fire, Teachers or staff will direct all occupants out of the building, signal the fire alarm, and report the fire to the School Administrator.
2. The School Administrator will immediately initiate the EVACUATE BUILDING action. Staff and students will evacuate buildings using the prescribed routes or other safe routes to the Assembly Area.
3. In the event of an evacuation, Teachers will bring their student roster and take attendance at the Assembly Area to account for students. Teachers will notify the Assembly Area Team of missing students.
4. The School Administrator will call "911" and Redlands PD, the school's local law enforcement agency, at (909) 798-7681 and Redlands Fire Department [909-798-7600] and will provide the exact location (e.g., building, room, area) of the fire.
5. The Fire Suppression and HazMat Team will suppress fires and initiate rescue procedures until the local fire department arrives.
6. The Security/Utilities Team will secure the area to prevent unauthorized entry and keep access roads clear for emergency vehicles.
7. The Agency Liaison will direct the fire department to the fire and brief fire department official on the situation.
8. The Security/Utilities Team will notify the appropriate utility company of damages.
9. The School Administrator will notify the Local District Superintendent of the fire. A member of this group will call the Office of Communications with information on this situation.
10. If needed, the School Administrator will notify Bus Dispatch to request busses for staff and student evacuation.
11. Any affected areas will not be reopened until the Redlands City Fire Department or appropriate agency provides clearance and the School Administrator issues authorization to do so.
12. For fires during non-school hours, the School Administrator and the Local District Superintendent will determine if the school will open the following day.
13. All fires, regardless of their size, which are extinguished by school personnel, require a call to the Fire Department to indicate "fire is out."

### **Pandemic**

Blood Borne Pathogen Incident Reporting Form and Exposure Control Plan

Policy 5141.22: Infectious Diseases

The Governing Board desires to protect students from risks posed by exposure to infectious diseases while providing an appropriate education for all students.

The Superintendent or designee shall determine whether to admit a student with an infectious disease, and shall exclude students only in accordance with law. In making this determination, he/she shall consult the student's parents/guardians, the student's physician and/or the county health department, in accordance with law and consistent with confidentiality provisions. Because bloodborne pathogens such as hepatitis B virus, hepatitis C virus and human immunodeficiency virus (HIV) are not casually transmitted, the sole presence of bloodborne pathogens is not sufficient reason to exclude students from attending school.

cf. 5112.2 - Exclusions from Attendance)  
(cf. 5141.26 - Tuberculosis Testing)  
(cf. 5141.3 - Health Examinations)  
(cf. 6158 - Independent Study)  
(cf. 6159 - Individualized Education Program)  
(cf. 6183 - Home/Hospital Instruction)

Parents/guardians are encouraged to inform the Superintendent or designee if their child has an infectious disease so that school staff may work cooperatively with the student's parents/guardians to minimize the child's exposure to other diseases in the school setting. The Superintendent or designee shall ensure that student confidentiality rights are strictly observed in accordance with law. No district employee shall release medical information, including knowledge of a bloodborne pathogen infection, without written consent from the parent/guardian or adult student. Such information shall be shared only with those persons specifically named in the written permission.

(cf. 5125 - Student Records)  
(cf. 5022 - Student and Family Privacy Rights)

The Board requires students and staff to routinely observe universal precautions to prevent exposure to bloodborne pathogens and to prevent the spread of all infectious disease.

cf. 4119.42/4219.42/4319.42 -Exposure Control Plan for Bloodborne Pathogens)  
(cf. 4119.43/4219.43/4319.43 - Universal Precautions)  
(cf. 5141.23 - Infectious Disease Prevention)

The Superintendent or designee shall ensure that the district's health education program provides information about the nature of bloodborne pathogens and their transmission.

(cf. 5141.6 - Student Health and Social Services)  
(cf. 6142.2 - Sexual Health and HIV/AIDS Prevention Instruction)  
(cf. 6142.8 - Comprehensive Health Education)

#### Blood Borne Pathogens - Safety Practices

#### Procedures and Regulations

##### 1. General

1.1 While recognizing that both students and employees diagnosed with an infectious blood borne disease are entitled to a confidential relationship between themselves, the medical community and/or other agencies, the Board of School Trustees encourages these individuals to meet with the School Principal and/or Superintendent of Schools to discuss their disease and immediate and future needs.

##### 1.2 Assessment

##### 2. Students:

2.1. The Superintendent (or designate) will be informed, by the school principal as soon as is known, of any student infected with an infectious blood borne disease.

2.2. A Risk Assessment will be conducted using a team approach including the personal physician, public health personnel, the parent or guardian, and school district personnel as appropriate and will make recommendations about the type of educational and care setting based on the following:

- a. Behavior, neurological development and physical condition of the child;
- b. Type of interaction expected with others.
- c. What the potential is for exposure
- d. Areas for potential for exposure
- e. How exposure may happen
- f. Who needs to know?
- g. What will happen if there is a risk of exposure?

2.3. The team will consider the risk to others in the workplace, whether or not the individual is healthy enough to continue to attend school, and what precautions should be taken to ensure the safety and health of others.

a. The identity of infected students will remain confidential and restricted to those who need to know or are required to be informed.

2.4. Decisions on attendance at school are dependent on the circumstances of each individual case. Regular evaluation of the appropriateness of attendance will be conducted.

2.5. The Board will be notified immediately when the team considers the health condition of a student to be a danger to the immediate health and welfare of a school, its students or employees of the Board.

a. Upon being notified of the team's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

### 3. Employees

3.1. The Superintendent will be informed, by district staff as soon as is known, of any employee infected with an infectious blood borne disease.

3.2. Employees with an infectious blood borne disease, who are able to carry out the essential duties of their jobs in a satisfactory manner without posing a health or safety risk to themselves or others, will be entitled to continue their work.

3.3. Decisions regarding potential health or safety hazards will be made on a case-by-case basis in consultation with the employee, the personal physician and district personnel as appropriate.

3.4. The identity of infected employees will remain confidential and restricted to those who need to know or are required to be informed.

3.5. The Board will be notified immediately if the Superintendent considers the health condition of an employee to be a danger to the immediate health and welfare of a school, its students or other employees of the Board.

a. Upon being notified of the Superintendent's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

### 4. Hygienic Safety Practices

4.1. All employees will follow "Universal Infection Control Precautions" by assuming that blood and other body fluids from all individuals are potentially infectious. These precautions include:

- a. Routinely using gloves when anticipating contact with blood
- b. Immediately washing hands and other skin surfaces after removal of gloves and/or contact with blood

4.2. Schools will be provided with appropriate protective equipment including disposable waterproof gloves (natural rubber latex, neoprene, nitrile, or vinyl), tongs or pliers and proper sharps containers.

4.3. Schools' medical room mattresses will be either vinyl-coated beds or cloth mattress with a protective vinyl (plastic) covering so that they can be cleaned as needed with a bleach solution.

4.4. Blankets can be cleaned as needed by forwarding them, in a clearly labeled plastic bag, to the Assistant Supervisor Operations at the Facilities Office.

## 5. Universal Precautions

5.1. Universal Precautions to prevent transmission of blood-borne disease will be followed. Universal Precautions is the term for infection control measures endorsed by the Canadian Centre for Occupational Health and Safety for workers who might come into contact with blood and other body fluids. In summary they include:

- a. Wash hands for 30 seconds after contact with blood and other body fluids contaminated with blood.
- b. Wear disposable latex gloves when you encounter blood, body fluids, or when cleaning cuts, scrapes or wounds. Wash your hands as soon as you remove your gloves. Dispose gloves in a plastic bag.
- c. Use disposable absorbent material like paper towels to stop bleeding.
- d. Discard bloodstained material in a sealed plastic bag and deposit in the garbage. Label as containing blood-tainted material.
- e. Cover cuts or scrapes with a bandage until healed.
- f. Immediately protect staff and students from coming in contact with blood-soiled surfaces. The area must be disinfected with a fresh solution of one part bleach and nine-parts water (10% bleach solution).

Mops or brushes used for cleaning should be soaked in a bleach solution for 20 minutes.

(Note: The custodial department will provide each school with the product for dissolving in water to provide the bleach solution.)

## 6. Identification of Risks of Occupational Exposure

6.1. In accordance with the Occupational Health and Safety Regulations (section 6.35), the district's Health & Safety Coordinator will develop and maintain a list of positions and/or tasks and procedures where there is a potential for occupational exposure to a blood borne pathogen.

6.2. Employees who have, or may have, occupational exposure to the hepatitis B virus, will upon request, receive a hepatitis B vaccination (section 6.39, OH&S Regs).

6.3. Employees who may have been exposed to a blood borne pathogen in an exposure incident will be advised to immediately seek medical attention



## **Blood Borne Pathogen Incident Reporting Form and Exposure Control Plan**

### **Policy 5141.22: Infectious Diseases**

The Governing Board desires to protect students from risks posed by exposure to infectious diseases while providing an appropriate education for all students.

The Superintendent or designee shall determine whether to admit a student with an infectious disease, and shall exclude students only in accordance with law. In making this determination, he/she shall consult the student's parents/guardians, the student's physician and/or the county health department, in accordance with law and consistent with confidentiality provisions. Because bloodborne pathogens such as hepatitis B virus, hepatitis C virus and human immunodeficiency virus (HIV) are not casually transmitted, the sole presence of bloodborne pathogens is not sufficient reason to exclude students from attending school.

(cf. 5112.2 - Exclusions from Attendance)  
(cf. 5141.26 - Tuberculosis Testing)  
(cf. 5141.3 - Health Examinations)  
(cf. 6158 - Independent Study)  
(cf. 6159 - Individualized Education Program)  
(cf. 6183 - Home/Hospital Instruction)

Parents/guardians are encouraged to inform the Superintendent or designee if their child has an infectious disease so that school staff may work cooperatively with the student's parents/guardians to minimize the child's exposure to other diseases in the school setting. The Superintendent or designee shall ensure that student confidentiality rights are strictly observed in accordance with law. No district employee shall release medical information, including knowledge of a bloodborne pathogen infection, without written consent from the parent/guardian or adult student. Such information shall be shared only with those persons specifically named in the written permission.

(cf. 5125 - Student Records)  
(cf. 5022 - Student and Family Privacy Rights)

The Board requires students and staff to routinely observe universal precautions to prevent exposure to bloodborne pathogens and to prevent the spread of all infectious disease.

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)  
(cf. 4119.43/4219.43/4319.43 - Universal Precautions)  
(cf. 5141.23 - Infectious Disease Prevention)

The Superintendent or designee shall ensure that the district's health education program provides information about the nature of bloodborne pathogens and their transmission.

(cf. 5141.6 - Student Health and Social Services)  
(cf. 6142.2 - Sexual Health and HIV/AIDS Prevention Instruction)  
(cf. 6142.8 - Comprehensive Health Education)

# Blood Borne Pathogens - Safety Practices

## Procedures and Regulations

### 1. General

1.1 While recognizing that both students and employees diagnosed with an infectious blood borne disease are entitled to a confidential relationship between themselves, the medical community and/or other agencies, the Board of School Trustees encourages these individuals to meet with the School Principal and/or Superintendent of Schools to discuss their disease and immediate and future needs.

1.2 Assessment

### 2. Students:

2.1. The Superintendent (or designate) will be informed, by the school principal as soon as is known, of any student infected with an infectious blood borne disease.

2.2. A Risk Assessment will be conducted using a team approach including the personal physician, public health personnel, the parent or guardian, and school district personnel as appropriate and will make recommendations about the type of educational and care setting based on the following:

- a. Behavior, neurological development and physical condition of the child;
- b. Type of interaction expected with others.
- c. What the potential is for exposure
- d. Areas for potential for exposure
- e. How exposure may happen
- f. Who needs to know?
- g. What will happen if there is a risk of exposure?

2.3. The team will consider the risk to others in the workplace, whether or not the individual is healthy enough to continue to attend school, and what precautions should be taken to ensure the safety and health of others.

- a. The identity of infected students will remain confidential and restricted to those who need to know or are required to be informed.

2.4. Decisions on attendance at school are dependent on the circumstances of each individual case. Regular evaluation of the appropriateness of attendance will be conducted.

2.5. The Board will be notified immediately when the team considers the health condition of a student to be a danger to the immediate health and welfare of a school, its students or employees of the Board.

- a. Upon being notified of the team's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

### 3. Employees

3.1. The Superintendent will be informed, by district staff as soon as is known, of any employee infected with an infectious blood borne disease.

3.2. Employees with an infectious blood borne disease, who are able to carry out the essential duties of their jobs in a satisfactory manner without posing a health or safety risk to themselves or others, will be entitled to continue their work.

3.3. Decisions regarding potential health or safety hazards will be made on a case-by-case basis in consultation with the employee, the personal physician and district personnel as appropriate.

3.4. The identity of infected employees will remain confidential and restricted to those who need to know or are required to be informed.

- 3.5. The Board will be notified immediately if the Superintendent considers the health condition of an employee to be a danger to the immediate health and welfare of a school, its students or other employees of the Board.
- a. Upon being notified of the Superintendent's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

#### **4. Hygienic Safety Practices**

- 4.1. All employees will follow "Universal Infection Control Precautions" by assuming that blood and other body fluids from all individuals are potentially infectious. These precautions include:
- a. Routinely using gloves when anticipating contact with blood
  - b. Immediately washing hands and other skin surfaces after removal of gloves and/or contact with blood
- 4.2. Schools will be provided with appropriate protective equipment including disposable waterproof gloves (natural rubber latex, neoprene, nitrile, or vinyl), tongs or pliers and proper sharps containers.
- 4.3. Schools' medical room mattresses will be either vinyl-coated beds or cloth mattress with a protective vinyl (plastic) covering so that they can be cleaned as needed with a bleach solution.
- 4.4. Blankets can be cleaned as needed by forwarding them, in a clearly labeled plastic bag, to the Assistant Supervisor Operations at the Facilities Office.

#### **5. Universal Precautions**

- 5.1. Universal Precautions to prevent transmission of blood-borne disease will be followed. *Universal Precautions* is the term for infection control measures endorsed by the Canadian Centre for Occupational Health and Safety for workers who might come into contact with blood and other body fluids. In summary they include:
- a. Wash hands for 30 seconds after contact with blood and other body fluids contaminated with blood.
  - b. Wear disposable latex gloves when you encounter blood, body fluids, or when cleaning cuts, scrapes or wounds. Wash your hands as soon as you remove your gloves. Dispose gloves in a plastic bag.
  - c. Use disposable absorbent material like paper towels to stop bleeding.
  - d. Discard bloodstained material in a sealed plastic bag and deposit in the garbage. Label as containing blood-tainted material.
  - e. Cover cuts or scrapes with a bandage until healed.
  - f. Immediately protect staff and students from coming in contact with blood-soiled surfaces. The area must be disinfected with a fresh solution of one part bleach and nine-parts water (10% bleach solution).

Mops or brushes used for cleaning should be soaked in a bleach solution for 20 minutes.

(Note: The custodial department will provide each school with the product for dissolving in water to provide the bleach solution.)

#### **6. Identification of Risks of Occupational Exposure**



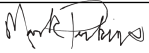
- 6.1. In accordance with the Occupational Health and Safety Regulations (section 6.35), the district's Health & Safety Coordinator will develop and maintain a list of positions and/or tasks and procedures where there is a potential for occupational exposure to a blood borne pathogen.
- 6.2. Employees who have, or may have, occupational exposure to the hepatitis B virus, will upon request, receive a hepatitis B vaccination (section 6.39, OH&S Regs).
- 6.3. Employees who may have been exposed to a blood borne pathogen in an exposure incident will be advised to immediately seek medical attention

# Comprehensive School Safety Plan

**2024-2025  
School Year**

**School:** Orangewood High School and eAcademy  
**CDS Code:** 36-67843-3634995  
**District:** Redlands Unified School District  
**Address:** 515 Texas Street  
Redlands, CA 92374  
**Date of Adoption:** October 24, 2023  
**Date of Update:** September 26, 2024  
**Date of Review:**  
- with Staff September 26, 2024  
- with Law Enforcement  
- with Fire Authority

**Approved by:**

| Name          | Title               | Signature                                                                            | Date           |
|---------------|---------------------|--------------------------------------------------------------------------------------|----------------|
| Carli Norris  | Principal           |  | 10 / 14 / 2024 |
| Alisa Beal    | Assistant Principal |  | 10 / 14 / 2024 |
| Nicole Howes  | Assistant Principal |                                                                                      |                |
| Mark Perkins  | Teacher             |  | 10 / 15 / 2024 |
| Kim Harris    | Teacher             |                                                                                      |                |
| Arlene Duran  | Secretary           |                                                                                      |                |
| Regina Carlin | Secretary           |                                                                                      |                |

Michele Mackamul

Parent



10 / 15 / 2024

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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 Orangewood High School and eAcademy.

## Safety Plan Vision

Orangewood Continuation High School and eAcademy will:

- provide a safe, orderly, and secure environment conducive to learning.
- create a school in which pupils will attend regularly and be safe from both physical and social-psychological harm.
- work collaboratively with the district office and school board to identify, establish and use strategies and programs to comply with school safety laws.
- develop a plan to work cooperatively and collaboratively with caregivers, pupils, teachers, administrators, counselors, and community agencies, including law enforcement, to provide a safe and orderly school community.
- work collaboratively with other elementary, middle, and high schools to assist in a smooth transition from one school level to another.
- solicit the participation, views, and advice of teachers, caregivers, school administrators, and community members and use this information to promote the safety of our pupils, staff, and community.
- utilize the district adopted tiered support plan for emergencies.

## Components of the Comprehensive School Safety Plan (EC 32281)

### Orangewood High School and eAcademy Safety Committee

#### Assessment of School Safety

Orangewood High School and eAcademy administration and safety officers work collaboratively with the Redlands Police Department and local county law enforcement agencies to problem solve, investigate school safety issues and report findings to child protective services, as needed. OHS/eAcademy does not have a dedicated school resource officer. The SROs from the comprehensive high schools are available for all inquiries, questions, and investigative purposes. All staff members are regularly trained in safety measures and the reporting of issues to administration and law enforcement.

#### Strategies and Programs to Provide and Maintain a High Level of Safety (EC 32281(a)1, items A-J)

Ensuring a high level of safety on a high school campus is paramount to fostering a conducive learning environment. To achieve this, a multifaceted approach comprising various strategies and programs is essential. First and foremost, the school conducts comprehensive risk assessments to identify potential hazards and vulnerabilities on campus. These assessments inform the development of emergency response plans that are regularly reviewed and practiced. Additionally, safety education and training initiatives are integral, with students and staff receiving training on topics ranging from fire drills and first aid to anti-bullying and mental health support. The campus is equipped with security technology, including surveillance cameras, to monitor and control access. A strong emphasis is placed on fostering a culture of safety through awareness campaigns, encouraging students and staff to actively participate in maintaining a safe environment. Finally, the school maintains collaborative partnerships with local law enforcement and emergency services to ensure a swift and coordinated response to any potential threats or emergencies, reinforcing the commitment to a high level of safety on the high school campus.



**(A) Child Abuse Reporting Procedures (EC 35294.2 [a] [2]; PC 11166)**

#### Policy 5141.4: Child Abuse Prevention and Reporting

The Governing Board recognizes that the district has a responsibility to facilitate the prompt reporting of incidents of child abuse and neglect. The Superintendent or designee shall ensure that parents/guardians have access to procedures whereby they can report suspected child abuse at a school site to appropriate child protective agencies

The Superintendent or designee shall develop and implement regulations for use by employees in identifying and reporting child abuse

District employees shall report known or suspected incidents of child abuse in accordance with district regulations and state law. Employees shall cooperate with the child protective agencies responsible for reporting, investigating and prosecuting cases of child abuse.

(cf. 4112.9 - Signed Statements/Child Abuse Reporting Statements)

The Superintendent or designee shall provide training in child abuse identification and reporting for all certificated and classified personnel. (Penal Code 11165.7)

All employees trained in child abuse identification and reporting shall be given, as a part of that training, written notice of the child abuse reporting requirements and the employees' confidentiality rights. (Penal Code 11165.7)

In order to reduce or eliminate unfounded child abuse accusations directed at school employees, child abuse in service training shall include guidance in disciplining students and maintaining ethical relationships with them.

(cf. 3514 - Safety)

(cf. 5142 - Safety)

#### Duty to Report

Certificated employees and classified employees trained in child abuse identification and reporting shall report known or suspected child abuse to a child protective agency by telephone immediately or as soon as practically possible and in writing within 36 hours. The reporting duties are individual and cannot be delegated to another individual except under circumstances set forth in Penal Code 11166.

#### Definitions

Child Abuse includes the following:

1. A physical injury inflicted by other than accidental means on a child by another person.
2. Willful cruelty or unjustifiable punishment of a child, or willfully inflicting unjustifiable physical pain or mental suffering, or failure to safeguard a child from these injuries when the child is under a person's care or custody
3. Sexual abuse of a child
4. Neglect of a child or abuse in out-of-home care
5. Unlawful corporal punishment or injury resulting in a traumatic condition

Mandated Reporters are those people defined by law as child care custodians, health practitioners, child visitation monitors and employees of a child protective agency. Mandated reporters include virtually all school employees. The following school personnel are required to report:

Teachers, administrators, supervisors of child welfare and attendance, certificated student personnel employees, employees of care institutions, Headstart teachers, school psychologists, licensed nurses, counselors, presenters of child abuse prevention programs and those instructional aides or other classified employees trained in child abuse reporting.

Child Protective Agencies are those law enforcement and child protective services responsible for investigating child abuse reports, including the local police or sheriff department, county welfare or juvenile probation department and child protective services.

Reasonable Suspicion means that it is objectively reasonable for a person to entertain such a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his/her training and experience, to suspect child abuse. (Penal Code 11166)

#### Reporting Procedures

To report known or suspects child abuse, any employee (as defined above) shall report by telephone to the local child protective agency immediately. (Child Protective Services 921 County Center, 3 Court, Modesto, CA phone # 525- 6641)

The following information shall be given:

1. The name of the person making the report
2. The name of the child
3. The present location of the child
4. The nature and extent of any injury

Any other information requested by the child protective agency, including the information that led the mandated reporter to suspect child abuse.

When the verbal 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.

Within 36 hours of making the telephone report, the mandated reporter shall complete and mail to the local child protective agency a written report which includes a completed Department of Justice form (DOJ SS 8572).

Mandated reports may obtain copies of the above form either from the district or local child protective agency.

Instructions are included on the form, and reporters may ask the site administrator for help in completing and mailing it; however, the mandated reporter is personally responsible for ensuring that the written report is correctly filed.

Employees reporting child abuse to a child protective agency are encouraged, but not required, to notify the site administrator or designee as soon as possible after the initial verbal report by telephone. When so notified, the site administrator shall inform the Superintendent or designee.

Administrators so notified shall provide the mandated reporter any assistance necessary to ensure that reporting procedures are carried out in accordance with law and district regulations. At the mandated reporter's request, the principal may assist in completing and filing the form.

If the mandated reporter does not disclose his/her identity to a district administrator, he/she shall at least provide or mail a copy of the written report to the site administrator and the district without his/her signature or name.

#### Legal Responsibility and Liability

Mandated reporters have absolute immunity. School employees required to report are not civilly or criminally liable for filing a required or authorized report of known or suspected child abuse.

A mandated reporter who fails to report an instance of child abuse, which he/she knows to exist or reasonably should know to exist, is guilty of a misdemeanor and is punishable by confinement in jail for a term not to exceed six months or by a fine of not more than \$1,000 or both. The mandated reporter may also be held civilly liable for damages for any injury to the child after a failure to report

When two or more persons who are required to report have joint knowledge of suspected instance of child abuse, and when they so agree, the telephone report may be made by either of them and a single report made and signed by that person.

However, if any person who knows or should know that the person designated failed to make the report, that person then has a duty to make the report.

The duty to report child abuse is an individual duty and no supervisor or administrator may impede or inhibit such reporting duties. Furthermore, no person making such a report shall be subject to any sanction.

#### Victim Interview

Upon request, a child protective agency representative may upon request interview a suspected victim of child abuse during school hours, on school premises, concerning a report of suspected child abuse that occurred within the child's home. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. (Penal Code 11174.3)

A staff member or volunteer aide selected by a child may decline to be present at the interview. If the selected person accepts, the principal or designee shall inform him/her, before the interview takes place, of the following legal requirements:

1. The purpose of the selected person's presence at the interview is to lend support to the child and enable him/her to be as comfortable as possible.
2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the child.
4. The selected person is subject to the confidentiality requirements of the Child Abuse and Reporting Act, a violation of which is punishable as specified by Penal Code 11167.5.
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 or Child Protective Services Agent

When a child is released to a peace officer or child protective agency and taken into custody as a victim of suspected child abuse, the Superintendent and/or principal shall not notify the parent/guardian as required in other instances of removal of a child from school, but rather shall provide the protective agency with the address and telephone number of the child's parent/guardian. It is the responsibility of the peace officer or agent to notify the parent/guardian of the situation. (Education Code 48906)

Peace officer and child protective services agents will be asked to sign an appropriate release or acceptance of responsibility form.

(cf. 5145.11 - Questioning and Apprehension)

#### When School Employees are Accused of Child Abuse

Regardless of who child abusers may be, the major responsibilities of mandated reports are to 1) identify incidents of suspected child abuse, and 2) comply with laws requiring the reporting of suspected abuse to proper authorities. Determining whether or not the suspected abuse actually occurred is not the responsibility of the school employee. Such determination and follow-up investigation will be made by a child protective agency.

Pending outcome of an investigation by a child protective agency and before formal charges are filed, the employee may be subject to reassignment or a paid leave of absence.

Upon filing formal charges or upon conviction, the district may take disciplinary action in accordance with law, district policies, regulations and/or collective bargaining agreements. The Superintendent or designee shall seek legal counsel in connection with either the suspension or dismissal of the employee.

(cf. 4117.4 - Dismissal)  
(cf. 4118 - Suspension/Disciplinary Action (Certificated))  
(cf. 4218 - Suspension/Disciplinary Action (Classified))

## Suspected Child Abuse Reporting Procedures

### I. Initiating the Report

A. The report is initiated by a telephone report to the appropriate agency.

B. If the suspected child abuse has taken place within the family, call the Enter appropriate Agency Hotline at phone number, 1 (800) 827-8724

C. If the suspected child abuse has taken place outside the family, call the local police department at:

Highland Sheriff Police Department  
Phone: (909) 425-9793

D. Content of call.

- 1) Name, address and age of child involved.
- 2) Clear description of suspected abuse.

### II. Written Report

A. The telephone call is to be followed by completion of the Suspected Child Abuse Report (form 11166.P.C.). These forms are available in the Principal's office at the high school or you may access the form on line at:  
[http://ag.ca.gov/childabuse/pdf/ss\\_8572.pdf](http://ag.ca.gov/childabuse/pdf/ss_8572.pdf) for a form or immediately call (909) 384-9233 to file a report.

B. The written report is to be addressed to the person to whom the telephone report was made.

C. The written report must follow the phone call within 36 hours.

1. Suspected child abuse within the family,  
Agency: Children and Family Services  
Address: 150 S. Lena Road, San Bernardino, California 92415

2. Suspected child abuse outside the family should be mailed to the agency to which the report was called -

Adopted: 10/2005  
Highland Sheriff Police Department  
Phone: (909)425-9793

The reporting party should keep the yellow copy of the Suspected Child Abuse Report form (SS8572) or verification of completion of the reporting obligation.

#### Caution:

1. The reporting responsibility has not been discharged until both the telephone call and written reports are complete.
2. School personnel are not to engage in any investigation of suspected cases. The investigation will be done by the child protective services office.
3. The reporting responsibility is an individual one which is NOT discharged by report to supervisors or administrators.

## **(B) Disaster Procedures (EC 35295-35297; GC 8607 and 3100)**

### **Disaster Plan (See Appendix C-F)**

Each classroom, office, library and room on campus has a posting of the emergency procedures near the exit door. Emergency procedures are also posted in each classroom disaster bag which is reviewed at the beginning of the school year for updates. Fire Drills are practiced regularly during the school year. Earthquake drills are practiced two times a year and Lock Down drills are practiced yearly. Additionally, safe and secure, lockdown and critical incident procedures are specifically outlined district wide. All information is shared with staff and community members.

### **Public Agency Use of School Buildings for Emergency Shelters**

OHS/eAcademy are designated as a shelter location during a natural disaster. The site will be used to house community members or those that are in need of shelter. PE and CNS facilities may be used for housekeeping, food storage and sleeping. The District Office works with the Red Cross and the City of Redlands for all notifications and accommodations.

## **(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines**

Policy 5144.1: Suspension And Expulsion/Due Process

### **Suspension and Expulsion**

The Governing Board recognizes that maintaining an environment which promotes learning and protects the health, safety, and welfare of all students may require the suspension or expulsion of a student from regular classroom instruction. District policies and school site rules shall clearly identify district behavior standards

(cf. 5144 - Discipline)

Except in cases where suspension for a first time offense is warranted in accordance with law, suspension shall be imposed only when other means of correction fail to bring about proper conduct. (Education Code 48900.5)

Expulsion is an action taken by the Board for severe or prolonged breaches of discipline by a student. Except for single acts of a grave nature, expulsion is usually used only when there is a history of misconduct, when other forms of discipline, including suspension, have failed to bring about proper conduct, or when the student's presence causes a continuing danger to other students. (Education Code 48915)

The grounds for suspension and expulsion and the procedures for considering, recommending and/or implementing suspension and expulsion shall be specified in Administrative Regulation.

Each principal shall annually inform all students and parents/guardians of the school's discipline rules and procedures and of the availability of all district policies and regulations dealing with student discipline, suspension and expulsion. (Education Code 35291, 35291.5)

(cf. 5145.6 - Parental Notifications)

Suspended or expelled students shall be excluded from all school-related extracurricular activities during the suspension or expulsion.

cf. 6145 - Extracurricular and Cocurricular Activities)

### **Zero Tolerance**

The Board supports a zero tolerance approach to serious offenses in accordance with state and federal law. This approach makes the removal of potentially dangerous students from the classroom a top priority and ensures the standardized treatment of all students. Staff shall immediately report to the Superintendent/ designee any incidence of offenses specified in law, Board policy, and administrative regulation as cause for suspension or expulsion.

### **Student Due Process**

The Board shall provide for the fair treatment of students facing suspension and expulsion by affording them their due process rights under the law. The administration and staff shall comply with procedures for notices and appeals as specified in regulation. Procedures governing student due process shall conform in all aspects to provisions in law. (Education Codes 48911, 48915 and 48915.5)

Whenever a student is suspended, school officials may (but are not required to) meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

cf. 5119 - Students Expelled from Other Districts

(cf. 5144.2 - Suspension and Expulsion/Due Process - Individuals with Exceptional Needs)

#### Rights of Complaining Witness

An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental or emotional needs of a student who is the complaining witness. (Education Code 48918.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Educational Code 48918.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies
3. Have a closed hearing during the time he/she testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48918.5)

#### On-Campus Suspension Program

The Board recognizes that students who are suspended from school frequently have no supervision or guidance during the school hours when they are off campus. The Board believes that in many cases, instead of sending the student off campus, it would be better to address the student's misconduct by keeping the student at school and providing him/her with supervision that is separated from the regular classroom.

The Superintendent or designee shall examine alternatives to off-campus suspension and may establish a suspension program which involves progressive discipline during the school day on campus; using conferences between staff, parents/guardians and students; detention; student study teams or other assessment-related teams; and/or referral to school support services staff.

#### Required Parental Attendance

The Board believes that parental involvement plays an important role in the resolution of classroom behavior problems. The Board expects that teachers will communicate with parents/guardians when behavior problems arise

Whenever a student is suspended from a class because he/she committed an obscene act, engaged in habitual profanity or vulgarity, disrupted school activities or otherwise willfully defied valid staff authority, the teacher of the class from which the student was suspended may require the student's parent/guardian to attend a portion of a school day in that class. After completing the classroom visit and before leaving school premises, the parent/guardian also shall meet with the principal or designee. (Education Code 48900.1)

The Board encourages teachers, before requiring parental attendance, to make reasonable efforts to have the parent/guardian visit the class voluntarily. The teacher also may consider informing the parent/guardian about available resources which may provide help in the development of parenting skills. Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the student and the parent/guardian and to improve classroom behavior.

Parental attendance may be required on the day the student returns to class or within one week thereafter. The principal or designee shall contact any parents/guardians who do not respond to the request to attend school. The Board recognizes that parental compliance with this policy may be delayed, modified or prevented by serious illness/injury/disability, absence from town, or inability to get certain release time from work.

The teacher shall apply this policy uniformly to all students within the classroom. This policy shall apply only to a parent/guardian who actually lives with the student. (Education Code 48900.1)

District regulations and school-site rules for student discipline shall include procedures for implementing parental attendance requirements.

Parents/guardians shall be notified of this policy before it is implemented and at the beginning of each subsequent school year. (Education Code 48900.1, 35291, 48980)

#### Decision Not to Enforce Expulsion Order

In cases where expulsion is mandatory pursuant to Education Code 48915(c), the enforcement of an expulsion order shall not be suspended by the Board. In all other cases of expulsion, the order for expulsion may be suspended by the Board, on a case-by-case basis, pursuant to the requirements of law.

#### Definitions

Suspension from school means removal of a student from on going 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, nor referral to a certificated employee designated by the principal to advise students, nor removal from the class without reassignment to another class or program for the remainder of the period, without sending the student to the principal or designee.

2. Removal from a particular class shall not occur more than once every five school days. (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)

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

School property, for the purposes described in Education Code 48900, includes, but is not limited to, electronic files and databases. (Education Code 48900(s))

#### 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, suspension and expulsion. Transfer students and their parents/guardians shall be notified at the time of enrollment. (Education Code 35291.5, 48900.1, 48980)

(cf. 5144 -Discipline)

(cf. 5145.6 Parental Notifications)

Notification shall include information about the ongoing availability of individual school rules and all district policies and regulations pertaining to student discipline. (Education Code 35291)

(cf. 5145.6 -Parental Notifications)

#### Grounds for Suspension and Expulsion

Students may be suspended or recommended for expulsion when the Superintendent, principal, or principal's designee at the school in which the student is enrolled determines that the student has done any of the acts listed below:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense. (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However, a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code Board Policy Manual Redlands Unified School District 48900(s))

2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48900(b))

(cf. 5 131 - Conduct)

(cf. 5131. 7 - Weapons and Dangerous Instruments)

3. Unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of, any controlled substance as defined in the Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind. (Education Code 48900(c))

(cf. 5131.6 -Alcohol and Other Drugs)

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance or material and represented same as controlled substance, alcohol beverage or intoxicant. (Education Code 48900(d))

5. Committed or attempted to commit robbery or extortion. (Education Code 48900(e))

6. Caused or attempted to cause damage to school property or private property. (Education Code 48900(f))

7. Stole or attempted to steal school property or private property. (Education Code 48900(g))

8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products with prior approval of the principal or designee. (Education Code 48900(h))

9. Committed an obscene act or engaged in habitual profanity or vulgarity. (Education Code 48900(i))

10. Unlawfully possessed, or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code. (Education Code 489000))
11. Disrupted school activities or otherwise willfully defied 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))
12. Knowingly received stolen school property or private property. (Education Code 48900(1))
13. Possessed an imitation firearm, i.e., 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))
14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code 243.4. (Education Code 48900(n))
15. 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))
16. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug soma. (Education Code 48900(p))
17. Engaged in, or attempted to engage in, hazing as defined in Education Code 32050. (Education Code 48900(q))
18. Made terrorist threats against school officials and/or school property. (Education Code 48900.7)

A student in grades 4 through 12 is also subject to suspension or recommendation for expulsion when it is determined that he/she:

19. Committed sexual harassment as defined in Education Code 212.5. (Education Code 48900.2)
20. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 33032.5. (Education Code 48900.3)
21. 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 Glasswork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment (Education Code 48900.4)

(cf. 5145.3 -Nondiscrimination/Harassment)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent/principal or within any other school district, including but not limited to the following circumstances:

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.

The Superintendent/principal may use his/her discretion to provide alternatives to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program. (Education Code 48900(r))

cf. 5138 -Conflict Resolution/Peer Mediation)

Alternatives to suspension or expulsion will be used against students who are truant, tardy, or otherwise absent from assigned school activities.

(cf. 5113 -Absences and Excuses)

(cf. 5113.1 - Truancy)

#### Suspension from Class by a Teacher/Parental Attendance

A teacher may suspend any student from the teacher's class for any of the acts listed under "Grounds for Suspension and Expulsion" above for the day of the suspension and the day following. (Education Code 48910)

Suspension from class means the removal of a student from class by a teacher for the day of the suspension and the next day. A teacher may suspend a student from class and may also refer a student for consideration of suspension from school for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

When suspending a student from his/her class, the teacher shall immediately report this action to the principal and send the student to the principal for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been suspended.

As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the suspension. A counselor or psychologist should attend the conference if it is practicable, and a school administrator may attend if either the parent/guardian or teacher so request.

A suspended student shall not be returned to class during the period of suspension without the approval of the teacher of the class and the principal. (Education Code 48910)

A student suspended from class shall not be placed in another regular class during the period of suspension. However, if a student is assigned to more than one class per day, he/she may be placed in any 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 suspended student to complete any assignments and tests missed during the suspension. (Education Code 48913)

When a teacher requires a parent/guardian to attend school in accordance with Board Policy, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is required pursuant to law. (Education Code 48900.1)

1. This notice shall also tell the parent/guardian when his/her presence is expected and by what means he/she may arrange any necessary change.
2. The notice shall describe the protections afforded to the parent/guardian as an employee by Labor Code 230.7.
3. The notice shall state that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student.

The teacher shall remind the parent/guardian to meet with the principal or designee after completing the classroom visit and before leaving school premises.

#### Suspension By Superintendent, Principal Or Principal's Designee

A Superintendent, principal, or principal's designee may suspend a student from a school for any of the acts listed under "Grounds for Suspension and Expulsion" above for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

The Superintendent or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife, as defined in Education Code 48915(g), at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item 414 under "Grounds for Suspension and Expulsion" above.
5. Possession of an explosive as defined in 18 USC 921.

Suspension may be imposed upon a first offense if the Superintendent, principal or designee determines the student violated items (i) - (v) listed in "Grounds For Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903 and 48912)

#### Suspension Procedures

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the principal or designee or the Superintendent or designee between 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 and the evidence against him/her and shall be given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911(b))

This conference may be omitted if the principal, designee or the Superintendent or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or school personnel. If the pre-suspension conference is not held, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference will be held as soon as the student is physically able to return to school. (Education Code 48911(c))

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior

A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee, who in turn will inform the Board.

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 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 also state the date and time when the student may return to school.

Should school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may also add that state law requires the parent/guardian to respond to such request without delay.

4. Parent/Guardian Conference: Whenever a student is suspended, school officials may meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such conference. The student may not be denied readmission solely because the parent/guardian failed to attend. (Education Code 48911)

5. Extension of Suspension: If the expulsion of a suspended student is being considered by the Board, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision. (Education Code 48911(g))

Any extension of the original period of suspension shall be 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. Extension of the suspension may be made only if 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(g))

#### Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal or Principal's 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 if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. 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 may hold closed sessions if a public hearing would lead to disclosure of information which would violate a student's right to privacy under Education Code 49073-49079.

(cf. 9321 -Closed Session Purposes and Agendas)

The Board shall provide the student with written notice of the closed session by registered or certified mail. Upon receiving this notice the student 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 shall be in closed session. (Education Codes 48912)

#### Authority to Expel

A student may be expelled only by the Board. The Board shall expel, as required by law, any student found to have committed certain offenses listed below under "Mandatory Recommendation and Mandatory Expulsion."

The Board may also order a student expelled for any of the acts listed above under "Grounds for Suspension and Expulsion" upon recommendation by the principal, Superintendent, hearing officer or administrative panel, based on finding either or both of the following: (Education Code 48915(b) and (e))

1. That other means of correction are not feasible
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

#### Mandatory Recommendation For Expulsion

The principal, Superintendent or designee shall recommend a student's expulsion for any of the following acts, unless the principal or Superintendent or designee finds, and reports in writing to the Board, that expulsion is inappropriate due to particular circumstances which shall be set out in the report of the incident:

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife as defined in Education Code 48915(g), explosive 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 the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee.

#### Mandatory Recommendation And Mandatory Expulsion

The principal, Superintendent or designee shall recommend that the Board expel any student found at school or at a school activity off school grounds to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48915(c).1)
2. Brandishing a knife as defined in Education Code 48915(g) at another person. (Education Code 48915(c).2)
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058. (Education Code 48915(c).3)
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above. (Education Code 48915(c).4)
5. Possessing an explosive as defined in 18 USC 921.

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

#### Student's Right to Expulsion Hearing

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred. (Education Code 48918(a))

The student is entitled to 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 district's discretion. (Education Code 48918(a))

If the district finds it impracticable 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))

Once the hearing starts, all matters shall be pursued with reasonable diligence and concluded without unnecessary delay. (Education Code 48918(a))

#### 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 48915.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Education Code 48915.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing.
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies.
3. Have a closed hearing during the time he/she testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48915.5)

#### Written Notice of the Expulsion Hearing

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least ten 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. A parent/guardian of a student expelled for acts described in paragraphs through 4 of Education Code 48915(a), seeks enrollment in another district they must inform the new district of the students status with the expelling district, pursuant to Education Code 48915.1.

(cf. 5119 -Students Expelled from Other Districts)

5. The opportunity for the student or the student's parent/guardian to appear in person or to employ and be represented by counsel.
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.

#### Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and Education Code 35145, the Board shall conduct the hearing or arrange for an alternative 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 request is made, the meeting shall be public

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to deliberate and determine if the student should be expelled. If the Board admits any other person to the closed session, the parent/guardian, the student, counsel of the student and counsel of the parent/guardian shall also be allowed to attend the closed session. (Education Code 48918(c))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to have his/her testimony heard in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including but not limited to videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

2. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, so long as a reasonably accurate written and complete transcription of the proceedings can be made. (Education Code 48918(g))

3. Presentation of Evidence: While technical rules of evidence do not apply to such hearings, 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 must be supported by substantial evidence that the student committed any of the above acts listed under "Grounds for Suspension and Expulsion" above. Findings of fact shall be based solely on the evidence at the hearing.

While no evidence 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) and

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 Witness: The following procedures shall be observed when hearings involve allegations of sexual assault or sexual battery by a student: (Education Code 48918)

- a. Any complaining witness shall be given five days' notice before being called to testify.
- b. Any complaining witness shall be entitled to have up to two adult support persons, including but not limited to a parent/guardian or legal counsel, present during his/her testimony.
- c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- e. If one or both support persons are also witnesses, the hearing shall be conducted according to Penal Code 868.5.
- f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard.

Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.

g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.

(1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.

(2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.

(3) The person conducting the hearing may:

(a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness.



(b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.

(c) Permit one of the support persons to accompany the complaining witness to the witness stand.

6. Decision Within Ten Days: The Board's decision on whether to expel a student shall be made within ten school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

7. Decision Within 40 Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

#### Alternative 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. Alternatively, the Board may 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(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified in "Conduct of Expulsion Hearing" above.

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 student shall be immediately reinstated. (See "Reinstatement" below.) The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers and with the student's parent/guardian. (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))

The hearing officer or administrative panel may recommend that the Board suspend the expulsion for a period of one year. (See "Suspension of Expulsion" below.)

The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

#### Stipulated Expulsions

It is the policy of the Redlands Unified School District that, where approved by the Superintendent or designee, parents/guardians may agree to the expulsion of their pupil by stipulation without necessity of a hearing. This process will expedite the pupil's school placement and may expedite the rehabilitation process.

A stipulated expulsion must be purely voluntary. No district administrator or staff member may coerce a pupil, parent or guardian into entering into such a stipulation. Parents/guardians will be given three calendar days to decide on a stipulated expulsion agreement.

If the parent/guardian requests a stipulated expulsion, the Superintendent or designee will promulgate the stipulated agreement. If at any time the parent/guardian decides not to pursue a stipulated agreement, the expulsion proceedings and timelines, extended by the length of the period for consideration of the stipulation, will be reinstated. The stipulated agreement will be presented to the Board for final consideration.

The stipulated agreement will include the terms and conditions of the expulsion order, including alternative placement and a rehabilitation plan to be completed before the student can be re-admitted to the district.

## Final Action by the Board

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel, the final action to expel must be taken by the Board at a public meeting. (Education Code 489180)) The Board shall maintain a record of each expulsion, including its cause. Expulsion records shall be non- privileged, disclosable public records.

(cf. 9321.1 - Closed Session Actions and Reports)

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

Upon ordering the 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 an act listed under "Mandatory Recommendation and Mandatory Expulsion" above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. (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 of the student at the time of review for readmission.
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service and other rehabilitative programs.
3. Such other recommendations as the Board approves.

With parental 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)

Upon expulsion, a copy of readmission procedures will be made available to the student and his/her parent/guardian.

## Written Notice to Expel

The Superintendent or designee shall send written notice of the decision to expel to the student or parent/guardian. The notice shall include the following:

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed in Education Code 48900(a)-(o), Education Code 48900.2-48900.4 and Education Code 48915(c). (Education Code 48900.8)
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian. (Education Code 48916)
3. Notice of the right to appeal such expulsion to the County Board of Education. (Education Code 48918)
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion. (Education Code 48918)
5. The notice also shall inform the student or parent/guardian of his/her 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)

## Suspension of Expulsion

The Board, upon voting to expel a student, may suspend the enforcement of the expulsion order for not more than one calendar year. When deciding whether to suspend an expulsion, the Board shall take into account the following criteria:

1. The student's previous behavior.
2. The seriousness of the misconduct.
3. The student's attitude toward the misconduct and his/her willingness to follow a rehabilitation program.

The suspension of the enforcement of an expulsion shall be governed by the following: (Education Code 48917

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.
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status.
3. The suspension of expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion" above or violates any of the district's rules and regulations governing student conduct.
4. When suspension of expulsion order is revoked, a student may be expelled under the terms of the original expulsion order
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expungement of any or all records of the expulsion proceedings.
6. Suspension 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 of Education.
7. 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 also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education. (Education Code 48918(i))

#### Right to Appeal

The student or parent/guardian is entitled to file an appeal of the Board's decision to the County Board of Education.

The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion action is suspended and the student is placed on probation. (Education Code 48919)

#### Post-Expulsion Placements

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 such a site.
3. Not housed at the school site attended by the student at the time of suspension.

(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for acts described in items #6 through # 13 and # 17 through # 19 under "Grounds for Suspension and Expulsion" above may be instead referred to a program of study that is provided at another comprehensive middle, junior, or senior high school, or at an elementary school.

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)

#### Reinstatement

When the Board accepts a recommendation against expulsion or makes its own decision after the hearing not to expel, the decision is final and the student shall be reinstated immediately. The Superintendent or designee shall place the student in any classroom program, other instructional program, rehabilitation program, or any combination of such programs following consultation with district personnel, including the teacher involved, and with the student's parent/guardian. (Education Code 48918(e))

#### Readmission

An expulsion order shall remain in effect until the Board may order the readmission of the student.

Readmission procedures shall be as follows:

1. A written request for review of expulsion action and request for readmission shall be submitted by the parent/guardian to the Superintendent or designee.
2. The Superintendent or designee will hold a conference with the parent/guardian and the student.
3. At the conference the conditions for readmission will be reviewed. The Superintendent or designee shall verify that the rehabilitation plan has been met.
4. School regulations will be reviewed and the student and parent/guardian will be asked to indicate in writing their willingness to comply with these regulations.
5. The Superintendent or designee will transmit the request for readmission to the Board, along with his/her recommendation. The Board shall consider the request in closed session if the information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it will be honored.
6. The Superintendent or designee will notify the student or parent/guardian, by registered mail, of the district's decision regarding readmission.
7. 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)
8. 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. (Education Code 48916)
9. 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)

#### Maintenance of Records

The Board will maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls, within five days of a written request by the admitting school. (Education Code 48900.8, 48918(k))

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district. (Education Code 48915.1)

cf. 5119 - Students Expelled from Other Districts)

(cf. 5125 - Student Records)

#### Notifications and Reports

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering or sale of controlled substances, alcohol, or intoxicants of any kind.

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 also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

#### Outcome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion.
2. The specific grounds for each recommended expulsion.
3. Whether the student was subsequently expelled.
4. Whether the expulsion order was suspended.
5. The type of referral made after the expulsion.
6. The disposition of the student after the end of the expulsion period.

#### Suspension and Expulsion/Due Process

Redlands Unified  
Administrative Regulation  
AR 51441  
Adopted June 27, 1995  
Students

#### Definitions

Suspension from school 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. Removal from a particular class shall not occur more than once every five school days.

Expulsion means removal of a student from the immediate supervision and control, or the general supervision, of school personnel. (Education Code 48925)

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian or legal counsel. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

#### 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, suspension and expulsion. Transfer students and their parents/guardians shall be notified at the time of enrollment. (Education Code 35291.5, 48900.1, 48980)

(cf. 5144 - Discipline)

Notification shall include information about the ongoing availability of individual school rules and all district policies and regulations pertaining to student discipline. (Education Code 35291)

(cf. 5145.6 - Parental Notifications)

#### Grounds for Suspension and Expulsion

A student may be subject to suspension or expulsion when it is determined that he/she:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense. (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aide or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code 48900(s))

2. Possessed, sold, or otherwise furnished any firearm. Knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48900(b))

(cf. 5131 - Conduct)

(cf. 5131.7 - Weapons and Dangerous Instruments)

3. Unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of, any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind. (Education Code 48900(c))

(cf. 5131.6 - Alcohol and Other Drugs)

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid, substance or material and represented same as controlled substance, alcohol beverage or intoxicant. (Education Code 48900(d))

5. Committed or attempted to commit robbery or extortion. (Education Code 48900(e))

6. Caused or attempted to cause damage to school property or private property. (Education Code 48900(f))

7. Stole or attempted to steal school property or private property. (Education Code 48900(g))

8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products (Education Code 48900(h))

9. Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))

10. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5. (Education Code 48900(j))

11. Disrupted school activities or otherwise willfully defied 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))

12. Knowingly received stolen school property or private property. (Education Code 48900(l))

13. Possessed an imitation firearm, i.e., 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))

14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code 243.4. (Education Code 48900(n))

15. 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))

16. Made terrorist threats against school officials and/or school property. (Education Code 48900.7)

Pursuant to Education Code 48900.7, the making of a terrorist threat includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person or property damage in excess of \$1,000.00, 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.

A student in grades 4 through 12 is also subject to suspension or recommendation for expulsion when it is determined that he/she:

17. Committed sexual harassment as defined in Education Code 212.5. (Education Code 48900.2)

Pursuant to Education Code 48900.2 the conduct constitutes harassment when considered from the perspective of a reasonable person of the same gender as the victim to be 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.

(cf. 5145.7 - Sexual Harassment)

18. 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)

(cf. 5145.9 - Hate-Motivated Behavior)

Education Code 233 defines "hate violence" as any act punishable under Penal Code 422.6, 442.7 or 422.75. Such acts include injuring or intimidating another person, interfering with the exercise of a person's civil rights, or damaging a person's property because of the person's race, color, religion, ancestry, national origin, disability, gender or sexual orientation.

19. Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading student rights by creating an intimidating or hostile educational environment. (Education Code 48900.4)

(cf. 5145.3 - Nondiscrimination/Harassment)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent or principal or within any other school district, including but not limited to the following circumstances: (Education Code 48900)

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.

The Superintendent or principal may use his/her discretion to provide alternative to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program. (Education Code 48900(r))

Alternatives to suspension or expulsion will be used with students who are truant, tardy, or otherwise absent from assigned school activities.

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Truancy)

#### Removal from Class by a Teacher/Parental Attendance

A teacher may suspend any student from his/her class for the remainder of the day and the following day for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

A teacher also may refer a student to the principal or designee for consideration of suspension from school. (Education Code 48910)

When removing a student from his/her class, the teacher shall immediately report this action to the principal and send the student to the principal for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been removed.

As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the removal. A counselor or psychologist should attend the conference if it is practicable, and a school administrator may attend if either the parent/guardian or teacher so requests.

A student removed from class shall not be returned to class during the period of removal without the approval of the teacher of the class and the principal. (Education Code 48910)

A student removed from class shall not be placed in another regular class during the period of removal. However, if a student is assigned to more than one class per day, he/she may be placed in any other regular classes except those held at the same time as the class from which the student was removed. (Education Code 48910)

The teacher of any class from which a student is removed may require the student to complete any assignments and tests missed during the removal. (Education Code 48913)

Pursuant to Board policy, a teacher may provide that the parent/guardian of a student whom the teacher has removed attend a portion of a school day in his/her child's classroom. When a teacher makes this request, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is requested pursuant to law. (Education Code 48900.1)

This notice shall also:

1. Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternate date.
2. Describe the legal protections afforded to the parent/guardian as an employee under Labor Code 230.7.
3. State that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student.
4. Ask the parent/guardian to meet with the principal after the visit and before leaving school, as required by Education Code 48900.1.

#### Suspension by Superintendent, Principal or Principal's Designee

The Superintendent, principal or principal's designee may suspend a student from a school for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

The Superintendent or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife, as defined in Education Code 48915(g), at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion".
5. Possession of an explosive as defined in 18 USC 921.



Suspension also may be imposed upon a first offense if the Superintendent, principal or designee determines the student violated items #1-5 listed in "Grounds for Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903, 48912)

The Superintendent or designee may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which a student may be suspended in any school year. (Education Code 48903)

Suspensions shall be initiated according to the following procedures:

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the principal, designee or the Superintendent 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 and the evidence against him/her; the student shall be given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911(b))

This conference may be omitted if the principal, designee or the Superintendent determines that an emergency situation exists. An "emergency situation" involves 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 a conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference will be held as soon as the student is physically able to return to school. (Education Code 48911(c))

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee.

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 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 also state the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may add that state law requires the parent/guardian to respond to such requests without delay.

4. Parent/Guardian Conference: Whenever a student is suspended, school officials may meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such conference. The student may not be denied readmission solely because the parent/guardian failed to attend. (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. (Education Code 48911(g))

Any extension of the original period of suspension shall be 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. Extension of the suspension may be made only if 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)

#### Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal or Principal's 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 if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. 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 closed sessions if a public hearing would lead to disclosure of information violating a student's right privacy under Education Code 49073-49079.

(cf. 9321 - Closed Session Purposes and Agendas)

The Board shall provide the student and his/her parent/guardian with written notice of the closed session by or certified mail. 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 Codes 35146, 48912)

#### On-Campus Suspension Program

Students for whom an expulsion action has not been initiated and who pose no imminent danger or threat to the school may be assigned to a separate, supervised suspension classroom for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

1. The supervised suspension classroom shall be staffed in accordance with law.
2. The student shall have access to appropriate counseling services.
3. The supervised suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.
4. Each student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom. The teacher 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 a supervised 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 shall be made in writing. (Education Code 48911.1)

#### Authority to Expel

A student may be expelled only by the Board. The Board shall expel, as required by law, any student found to have committed certain offenses listed below under "Mandatory Recommendation and Mandatory Expulsion."

The Board also may order a student expelled for any of the acts listed under "Grounds for Suspension and Expulsion" upon recommendation by the principal, Superintendent, hearing officer or administrative panel, based on finding 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.

#### Mandatory Recommendation for Expulsion

Unless the principal, Superintendent or designee finds that expulsion is inappropriate due to particular circumstances, the principal, Superintendent or designee shall recommend a student's expulsion for any of the following acts: (Education Code 48915 (a))

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife as defined in Education Code 48915(g), explosive or other dangerous object of no reasonable use to the student.
3. Unlawful possession of any controlled substance, as listed in the Health and Safety Code 11053-11058, except for the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee.

#### Mandatory Recommendation and Mandatory Expulsion

Note: The Attorney General has determined, in 80 Ops.Cal. Atty. Gen. 347 (1997), that a district may not adopt a zero tolerance policy mandating expulsion of a student for a first offense of possession of a controlled substance or alcohol.

The principal, Superintendent or designee shall recommend that the Board expel any student found at school or at a school activity to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife as defined in Education Code 48915(g) at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above.
5. Possessing an explosive as defined in 18 USC 921.

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

The initial recommendation for consideration of expulsion is that of the school principal or the Superintendent. Designees may not make this type of recommendation.

The recommendation for consideration of expulsion shall be submitted to the Director, Office of Student Services, who will review the material and recommend:

1. Reassignment to appropriate regular education program.
2. Refer student to Alternative Program; i.e., Community School, Independent Study, Continuation or Opportunity School, or other district programs.
3. Refer the matter to the Discipline Review Panel for further consideration.

When a case is referred to the discipline Review Panel, the panel shall question school personnel who have information on the incident and the behavior record of the student charged and weighs the evidence presented.

The panel shall, in the case of an expulsion consideration, weigh information presented to determine:

- a. Is the evidence sufficient to support consideration by the expulsion panel?
- b. Has the district, through the schools involved, considered or utilized alternatives to expulsion when possible?
- c. Have due process procedures been adhered to?

The recommendation shall be either to proceed with the expulsion or to utilize an existing practical alternative in lieu of expulsion.

If the district (school) has not adhered to due process requirements, the student shall be returned to school immediately.

If the Discipline Review Panel meets to consider a matter other than an expulsion, it shall provide its best judgment as to an effective alternative program or plan to action.

The recommendation of the Discipline Review Panel shall be forwarded to the Director, Office of Student Services, who shall then review the facts, concur, veto or modify the recommendation.

4. That an expulsion panel be convened.

At the time a recommendation for expulsion is submitted, a hearing shall be scheduled by the Superintendent or designee to determine whether the suspension shall be extended. If the decision is to extend the suspension, the period of time shall be until the Board has rendered a decision or until the expulsion process is otherwise terminated.

The extension of suspension shall be based upon determination by the Superintendent or designee that the presence of the student at the school or in an alternative school placement would cause a danger to persons or property or a threat of disrupting the instructional process. This extension shall be imposed only after the student and the parent/guardian have been given the opportunity to be present at a hearing conducted by the Superintendent or designee. At this time, the student and parent/guardian shall be given the opportunity to be heard and present any information that might bear upon the decision.

Materials which support the decision of the person recommending the expulsion shall be prepared and submitted to the Office of Student Services. The departments of Attendance, Guidance, Special Education and/or Health may be requested to assist in the preparation of this material.

#### Student's Right to Expulsion Hearing

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred. (Education Code 48918 (a))

The student is entitled to 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 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 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 no 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))

#### Waiver of Hearing (Default Proceedings)

If the parent/guardian agrees that their son/daughter behaved essentially in the manner stated in the principals letter recommending expulsion and that such behavior constitutes a violation of the California Education Code, Section 48900, 48900.2, 48900.3, 48900.4, 48900.7 and/or 48915 a suspendable/expellable offense, the parent/guardian may request to waive the Administrative Hearing Panel.

When the parent/guardian agrees to waive the Administrative Hearing Panel, they also waive all notification and timelines related to the expulsion hearing process, along with their rights to appeal the determination of the Board.

The signed affidavit and findings of fact will be submitted to the Board for their approval. The Board has the discretionary power to accept, reject, or modify all recommendations.

#### Rights of Complaining Witness

An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental or emotional needs of a student who is the complaining witness. (Education Code 48918.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to all the following: (Education Code 48918.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing.
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies.
3. Have a closed hearing during the time he/she testifies.

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48918.5)

#### Written Notice of the Expulsion Hearing (Education Code 48918(b))

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least 10 calendar days before the date of the hearing. The notice shall include: (Education Code 48900.8, 48918 (b))

1. The date and place of the hearing.
2. A statement of the specific facts, charges and offense upon which the proposed expulsion is based.
3. A copy of district disciplinary rules which relate to the alleged violation.
4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment. This obligation applies when a student is expelled for acts other than those described in Education Code 48915 (a) or (c).  
(cf. 5119 - Students Expelled from other Districts)

5. The opportunity for the student or the student's parent/guardian to appear in person and/or be represented by legal counsel or by a non-attorney advisor.

Legal counsel means an attorney or lawyer who is admitted to the practice of law in California and is an active member of the State Bar of California.

Non-attorney advisor 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.

#### Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and 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 request is made, the meeting shall be public, unless another student's privacy rights would be violated.

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to determine if the student should be expelled. If the Board admits any other person to the closed session, the parent/guardian, the student, and the counsel of the student, shall also be allowed to attend the closed session. (Education Code 48918(c))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to have his/her testimony heard in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including but not limited to videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

2. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate written and complete transcription of the proceedings can be made. (Education Code 48918(g))

3. Subpoenas: Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with the Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20, formerly 11525. (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(ii))

4. Presentation of Evidence: While technical rules of evidence do not apply to expulsion hearings, 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 must be supported by substantial evidence that the student committed any of the acts listed in "Grounds for Suspension and Expulsion" above.

Findings of fact shall be based solely on the evidence at the hearing. While no evidence 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) and (h))

In cases where a search of a student's person or property has occurred, evidence describing the reasonableness of the search shall be included in the hearing record.

5. Testimony by Complaining Witnesses: The following procedures shall be observed when hearings involve allegations of sexual assault or sexual battery by a student: (Education Code 48918)

- a. Any complaining witness shall be given five days' notice before being called to testify.
- b. Any complaining witness shall be entitled to have up to two adult support persons, including but not limited to a parent/guardian or legal counsel, present during his/her testimony.
- c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- e. If one or both support persons are also witnesses, the hearing shall be conducted according to Penal Code 868.5.
- f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.
- g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.
  - (1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.
  - (2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.
  - (3) The person conducting the hearing may:
    - (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness.
    - (b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.

(c) Permit one of the support persons to accompany the complaining witness to the witness stand.

6. Decision Within 10 Days: The Board's decision on whether to expel a student shall be made within 10 school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

7. Decision Within 40 Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

#### Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

Instead of conducting an expulsion hearing itself, the Board may contract with the county hearing officer or with the Office of Administrative Hearings of the State of California for a hearing officer. Alternatively, the Board may 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(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified in "Conduct of Expulsion Hearing."

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 student shall be immediately reinstated. (See "Reinstatement.") The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers, and with the student's parent/guardian. (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 for a period of one year. (See "Decision Not to Enforce Expulsion Order" below.)

The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

#### The Discipline Review Panel

The Discipline Review Panel will consist of elementary educators when a review is being made of an elementary student and of secondary educators when a review is being made of secondary student.

1. The Discipline Review Panel shall hear the following types of disciplinary cases:

- a. Requests for expulsion from site principals or the Superintendent.
- b. School site administrative requests for assistance (non-expulsion situations).

2. Each discipline review panel shall consist of three certificated persons plus a chairperson and shall consist of elementary educators when a review is being made of an elementary student and of secondary educators when a review is being made of a secondary student. A panelist may not serve on any panel involving a student who is currently attending the school in which he/she is assigned. A representative from Student Services shall be a nonvoting member of each panel.

A chairperson and assistant chairperson, to serve when the chairperson is unable to serve, shall be appointed by the Superintendent or designee and shall serve at his/her pleasure. Neither shall be a member of the Student Services staff.

A pool of panelists shall be established which shall be composed of personnel who have served or are currently serving as members of administrative expulsion panels. The committee chairman shall select members to serve on individual panels.

The meetings of the discipline review panel are open to school district personnel only.

The duties of the Discipline Review Panel are as follows:

1. The chairperson shall call a meeting of the panel as soon as possible, but no later than 10 school days after the receipt of notice of a pending case.

2. A recommendation must be forwarded to the Director, Office of Student Services, within three days of the review hearing.
3. In the event a member of the committee cannot be present at a meeting, the Director, Office of Student Services, will appoint an alternate from the pool to attend.

#### Final Action by the Board

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel, the final action to expel shall be taken by the Board at a public meeting. (Education Code 48918(j))

(cf. 9321.1 - Closed Session Actions and Reports)

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

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 an act listed under "Mandatory Recommendation and Mandatory Expulsion" above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. (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 of the student at the time of review for readmission.
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service and other rehabilitative programs.

With parental 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 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 in Education Code 48900 (a)-(o), Education Code 48900.2-48900.4, Education Code 48915 (c) and (Education Code 48900.8).
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian. (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Governing Board. (Education Code 48918)
4. Notice of the alternative educational placements 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 Not to Enforce Expulsion Order

In accordance with Board policy, when deciding whether to suspend the enforcement of an expulsion, the Board shall take into account the following criteria:

1. The student's pattern of behavior.
2. The seriousness of the misconduct.
3. The student's attitude toward the misconduct and his/her willingness to follow a rehabilitation program.

The suspension of the enforcement of an expulsion shall be governed by the following: (Education Code 48917)

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.
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status.



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" above or violates any of the district's rules and regulations governing student conduct.
4. When the suspension of the enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order.
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings.
6. 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 County Board of Education.
7. 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 also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education. (Education Code 48918 (j))

#### Right to Appeal

The student or parent/guardian is entitled to file an appeal of the Board's decision to the County Board of Education. The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion action is suspended and the student is placed on probation. (Education Code 48919)

#### Post-Expulsion Placements

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 such a site.
3. Not housed at the school site attended by the student at the time of suspension.

(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for acts described in items #6 through #13 and #17 through #19 under "Grounds for Suspension and Expulsion" may be instead 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

Readmission procedures shall be as follows:

1. On the date set by the Board when it ordered the expulsion, the district shall consider readmission of the student. (Education Code 48916)
2. 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.
3. The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session if information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it shall be honored.
4. 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.
5. 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)
6. 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. (Education Code 48916)

7. 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)

#### Maintenance of Records

The Board shall maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls, within five days of a written request by the admitting school. (Education Code 48900.8, 48918(k))

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district. (Education Code 48915.1)

(cf. 5119 - Students Expelled from Other Districts)

(cf. 5125 - Student Records)

#### Notifications 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 also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering or sale of controlled substances, alcohol, or intoxicants of any kind. (Education Code 48902)

#### Outcome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion.
2. The grounds for each recommended expulsion.
3. Whether the student was subsequently expelled.
4. Whether the expulsion order was suspended.
5. The type of referral made after the expulsion.
6. The disposition of the student after the end of the expulsion period.

Regulation: REDLANDS UNIFIED SCHOOL DISTRICT

Approved: June 27, 1995, Redlands, California

#### **(D) Procedures to Notify Teachers of Dangerous Pupils (EC 49079)**

All student records are queried at the District level. Student offender information is shared with all current teachers. Teachers are notified of student discipline incidents via email.

**(E) Sexual Harassment Policies (EC 212.6 [b])**

## Policy 4119.11: Sex Discrimination and Sex-Based Harassment

The Governing Board is committed to providing a safe work environment that is free of harassment and intimidation. The Board prohibits sexual harassment against district employees by anyone, in any manner, and prohibits retaliatory action or behavior against any persons who complains, testifies, or otherwise participates in the complaint process established pursuant to this policy and accompanying administrative regulation. This policy shall apply to all district employees, interns, volunteers, contractors, job applicants, and other persons with an employment relationship with the district.

(cf. 0410 - Nondiscrimination in District Programs and Activities) (cf. 4030 - Nondiscrimination in Employment)

Sexual harassment includes, but is not limited to, harassment that is based on the sex, gender, gender identity, gender expression, or sexual orientation of the victim and harassment based on pregnancy, childbirth, or related medical conditions.

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation, and correction of sexual harassment, including but not limited to:

1. Providing training to all staff in accordance with law and administrative regulation.
2. Publicizing and disseminating the district's sexual harassment policy to staff.
3. Ensuring prompt, thorough, equitable, and fair investigation of complaints
4. Taking timely and appropriate corrective/remedial actions which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments.

The Superintendent or designee shall periodically evaluate the effectiveness of the district's strategies to prevent and address harassment. Such evaluation may involve conducting regular anonymous employee surveys to assess whether harassment is occurring or is perceived to be tolerated, partnering with researchers or other agencies with the needed expertise to evaluate the district's prevention strategies, and using any other effective tool for receiving feedback on systems and/or processes. As necessary, changes shall be made to the harassment policy, complaint procedures, or training.

### Sexual Harassment Reports and Complaints

Any district employee who feels that he/she has been sexually harassed in the performance of their district responsibilities or who has knowledge of any incident of sexual harassment by or against another employee shall immediately report the incident to his/her supervisor, the principal, other district administrator, or the district's Title IX Coordinator. However, an employee may bypass his/her supervisor in filing a complaint if the supervisor is the subject of the complaint. A supervisor, principal, or district administrator who receives a harassment complaint shall promptly notify the Title IX Coordinator.

Once notified, the Title IX Coordinator shall ensure the complaint or allegation is addressed through AR 4119.12/4219.12/4319.12 – Title IX Sexual Harassment Complaint Procedures or AR 4030- Nondiscrimination in Employment, as applicable. Because a complaint or allegation that is dismissed or denied under the Title IX complaint procedure may still be subject to consideration under state law, the Title IX Coordinator shall ensure that any implementation of AR 4119.12/4219.12/4319.12 concurrently meets the requirements of AR 4030.

Notwithstanding the above, BP/AR 4119.12/4219.12/4319.12 and 4030 shall under no circumstances be used to resolve complaints brought by, on behalf of, or against students. All complaints brought by, on behalf of, or against students that allege "sexual harassment" as that term is defined in the federal regulations implementing Title IX of the Education Amendments of 1972 (see 34 C.F.R. § 106, et seq.) shall be investigated and resolved under BP/AR 5145.71. All complaints brought by, on behalf of, or against students that do not meet the definition of "sexual harassment" as set forth in the Title IX implementing regulations shall be investigated and resolved under BP/AR 1312.3.

(cf. 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaints)

The Title IX Coordinator shall offer supportive measures to the complainant and respondent, as deemed appropriate under the circumstances.

Upon investigation of a sexual harassment complaint, any district employee who engages, or participates in sexual harassment, or who aids, abets, incites, compels, or coerces another to commit sexual harassment in violation of this policy is subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Reports) (cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4218 -

Dismissal/Suspension/Disciplinary Action)

#### Regulation 4119.12: Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures

The complaint procedures described in this administrative regulation shall be used to address any complaint governed by Title IX of the Education Amendments of 1972 alleging that a district employee, while in an education program or activity in which a district school exercises substantial control over the context and respondent, was subjected to one or more of the following forms of sexual harassment: (34 CFR 106.30, 106.44)

1. A district employee conditioning the provision of a district aid, benefit, or service on a person's participation in unwelcome sexual conduct
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291 (cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

All other sexual harassment complaints or allegations shall be investigated and resolved in accordance with AR 4030

- Nondiscrimination in Employment. The determination of whether the allegations meet the definition of sexual harassment under Title IX shall be made by the district's Title IX Coordinator.

(cf. 4030 - Nondiscrimination in Employment)

Because the complainant has a right to pursue a complaint under AR 4030 for any allegation that is dismissed or denied under the Title IX complaint procedure, the Title IX Coordinator shall ensure that all requirements and timelines for AR 4030 are concurrently met while implementing the Title IX procedure.

#### Reporting Allegations/Filing a Formal Complaint

An employee who is the alleged victim of sexual harassment may submit a report of sexual harassment to the district's Title IX Coordinator using the contact information listed in AR 4119.11/4219.11/4319.11 - Sexual Harassment or to the employee's direct supervisor or other district administrator, who shall forward the report to the Title IX Coordinator within one day of receiving the report. Upon receiving such a report, the Title IX Coordinator shall inform the complainant of the right to file a formal complaint and the process for filing a formal complaint.

A formal complaint, with the complainant's physical or digital signature, may be filed with the Title IX Coordinator in person, by mail, by email, or by any other method authorized by the district. (34 CFR 106.30)

Even if the alleged victim chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations when a safety threat exists. In addition, the Title IX Coordinator may file a formal complaint in other situations as permitted under the Title IX regulations, including as part of the district's obligation to not be deliberately indifferent to known allegations of sexual harassment. In such cases, the Title IX Coordinator shall provide the alleged victim notices as required by the Title IX regulations at specific points in the complaint process.

The Title IX Coordinator, investigator, decision-maker, or a facilitator of an informal resolution process shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. Such persons shall receive training in accordance with 34 CFR 106.45. (34 CFR 106.45)

#### Supportive Measures

Upon receipt of a report of Title IX sexual harassment, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures and shall consider the complainant's wishes with respect to the supportive measures implemented. Supportive measures shall be offered as appropriate, as reasonably available, and without charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures shall be nondisciplinary, nonpunitive, and not unreasonably burden the other party, including measures designed to protect the safety of all parties or the district's educational environment or to deter sexual harassment. Supportive measures may include, but are not limited to, counseling, extensions of deadlines, modifications of work schedules, mutual restrictions on contact, changes in work locations, leaves of absence, increased security, and monitoring of certain areas of the campus. (34 CFR 106.30, 106.44)

The district shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the district's ability to provide the supportive measures. (34 CFR 106.30)

#### Emergency Removal

If a district employee is the respondent, the employee may be placed on administrative leave during the pendency of the formal complaint process. (34 CFR 106.44)

If the respondent is a student, the district may, on an emergency basis, remove the student from the district's education program or activity, provided that the district conducts an individualized safety and risk analysis, determines that removal is justified due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations, and provides the student with notice and an opportunity to challenge the decision immediately following the removal. This authority to remove a student does not modify a student's rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973. (34 CFR 106.44)

#### Dismissal of Complaint

The Title IX Coordinator shall dismiss a formal complaint if the alleged conduct would not constitute sexual harassment as defined in

34 CFR 106.30 even if proved. The Title IX Coordinator shall also dismiss any complaint in which the alleged conduct did not occur in the district's education program or activity or did not occur against a person in the United States, and may dismiss a formal complaint if the complainant notifies the district in writing that the complainant would like to withdraw the complaint or any allegations in the complaint, the respondent is no longer employed by the district, or sufficient circumstances prevent the district from gathering evidence sufficient to reach a determination with regard to the complaint. (34 CFR 106.45)

Upon dismissal, the Title IX Coordinator shall promptly send written notice of the dismissal and the reasons for the dismissal simultaneously to the parties and shall inform them of their right to appeal the dismissal of a formal complaint or any allegation in the complaint in accordance with the appeal procedures described in the section "Appeals" below. (34 CFR 106.45)

If a complaint is dismissed, the conduct may still be addressed pursuant to AR 4030 - Nondiscrimination in Employment as applicable.

#### Informal Resolution Process

When a formal complaint of sexual harassment is filed, the district may offer an informal resolution process, such as mediation, at any time prior to reaching a determination regarding responsibility. The district shall not require a party to participate in the informal resolution process or to waive the right to an investigation and adjudication of a formal complaint. (34 CFR 106.45)

The district may facilitate an informal resolution process provided that the district: (34 CFR 106.45)

1. Provides the parties with written notice disclosing the allegations, the requirements of the informal resolution process, the right to withdraw from the informal process and resume the formal complaint process, and any consequences resulting from participating in the informal resolution process, including that records will be maintained or could be shared.
2. Obtains the parties' voluntary, written consent to the informal resolution process

#### Written Notice

If a formal complaint is filed, the Title IX Coordinator shall provide the known parties with written notice of the following: (34 CFR 106.45)

1. The district's complaint process, including any informal resolution process
2. The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known. Such notice shall be provided with sufficient time for the parties to prepare a response before any initial interview. If, during the course of the investigation, new Title IX allegations arise about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.
3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process
4. The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an attorney, and the ability to inspect and review evidence
5. The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process

The above notice shall also include the name of the investigator, facilitator of an informal process, and decision-maker and shall inform the parties that, if at any time a party has concerns regarding conflict of interest or bias regarding any of these persons, the party should immediately notify the Title IX Coordinator.

#### Investigation Procedures

During the investigation process, the district's designated investigator shall: (34 CFR 106.45)

1. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and

exculpatory evidence

2. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence
3. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney
4. Not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding, although the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as the restrictions apply equally to both parties
5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate
6. Send in an electronic format or hard copy to both parties and their advisors, if any, the evidence obtained as part of the investigation that is directly related to the allegations raised in the complaint, and provide the parties at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report
7. Objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and determine credibility in a manner that is not based on a person's status as a complainant, respondent, or witness
8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review and written response

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. (34 CFR 106.45)

Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.

If the complaint is against an employee, rights conferred under an applicable collective bargaining agreement shall be applied to the extent they do not conflict with the Title IX requirements.

#### Written Decision

The Superintendent shall designate an employee as the decision-maker to determine responsibility for the alleged conduct, who shall not be the Title IX Coordinator or a person involved in the investigation of the matter. (34 CFR 106.45)

After the investigative report has been sent to the parties but before reaching a determination regarding responsibility, the decision-maker shall afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party.

The decision-maker shall issue, and simultaneously provide to both parties, a written decision as to whether the respondent is responsible for the alleged conduct. (34 CFR 106.45)

The written decision shall be issued within 60 calendar days of the receipt of the complaint.

The timeline may be temporarily extended for good cause with written notice to the complainant and respondent of the extension and the reasons for the action. (34 CFR 106.45)

In making this determination, the decision-maker shall use the "preponderance of the evidence" standard for all formal complaints of sexual harassment. (34 CFR 106.45)

The written decision shall include the following: (34 CFR 106.45)

1. Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR 106.30



2. A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the district includes hearings as part of the grievance process
3. Findings of fact supporting the determination
4. Conclusions regarding the application of the district's code of conduct or policies to the facts
5. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's educational program or activity will be provided by the district to the complainant
6. The district's procedures and permissible bases for the complainant and respondent to appeal

## Appeals

Either party may appeal the district's decision or dismissal of a formal complaint or any allegation in the complaint, if the party believes that a procedural irregularity affected the outcome, new evidence is available that could affect the outcome, or a conflict of interest or bias by the Title IX Coordinator, investigator(s), or decision-maker(s) affected the outcome. If an appeal is filed, the district shall: (34 CFR 106.45)

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties
2. Ensure that the decision-maker(s) for the appeal is trained in accordance with 34 CFR 106.45 and is not the same decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator
3. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome
4. Issue a written decision describing the result of the appeal and the rationale for the result
5. Provide the written decision simultaneously to both parties

An appeal must be filed in writing within 10 calendar days of receiving the notice of the decision or dismissal, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered.

A written decision shall be provided to the parties within 20 calendar days from the receipt of the appeal.

Either party has the right to file a complaint with the U.S. Department of Education's Office for Civil Rights within 180 days of the date of the most recently alleged misconduct.

The complainant shall be advised of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal antidiscrimination laws, if applicable.

## Remedies

When a determination of responsibility for sexual harassment has been made against the respondent, the district shall provide remedies to the complainant. Such remedies may include the same individualized services described above in the section "Supportive Measures," but need not be nondisciplinary or nonpunitive and need not avoid burdening the respondent. (34 CFR 106.45)

## Disciplinary Actions

The district shall not impose any disciplinary sanctions or other actions against a respondent, other than supportive measures as described above in the section "Supportive Measures," until the complaint procedure has been completed and a determination of responsibility has been made. (34 CFR 106.44)

When an employee is found to have committed sexual harassment or retaliation, the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Report)

(cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4119.11/4219.11/4319.11 - Sexual Harassment) (cf. 4218 - Dismissal/Suspension/Disciplinary Action)

## Record-Keeping

The Superintendent or designee shall maintain, for a period of seven years: (34 CFR 106.45)

1. A record of all reported cases and Title IX investigations of sexual harassment, any determinations of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary sanctions imposed, any remedies provided to the complainant, and any appeal or informal resolution and the results therefrom.

2. A record of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment, including the district's basis for its conclusion that its response was not deliberately indifferent, the measures taken that were designed to restore or preserve equal access to the education program or activity, and, if no supportive measures were provided to the complainant, the reasons that such a response was not unreasonable in light of the known circumstances.

3. All materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process. The district shall make such training materials publicly available on its web site, or if the district does not maintain a web site, available upon request by members of the public.

(cf. 1113 - District and School Web Sites) (cf. 3580 - District Records)

#### **(F) School-wide Dress Code Relating to Gang-Related Apparel (EC 35183)**

Policy 5132.16: Student Dress Guidelines

The Governing Board believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Students' clothing must not present a health or safety hazard or a distraction which would interfere with the educational process.

Students and parents/guardians shall be informed about dress and grooming standards at the beginning of the school year and whenever these standards are revised. A student who violates these standards shall be subject to appropriate 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 dress code may be included as part of the school safety plan and must be presented to the Board for approval. The Board shall approve the plan upon determining that it is necessary to protect the health and safety of the school's students.

##### **Uniforms**

The Board recognizes that, in order to promote student safety and discourage peer rivalry and/or gang activity, the principal, staff and parent/guardian at a school site may wish to establish a reasonable dress code, which may include voluntary school uniforms.

Dress codes, which include voluntary school uniforms, may be included as part of the school safety plan submitted as required.

The Superintendent or designee shall establish procedures that schools, parents and guardians will follow if they decide to participate with the voluntary school uniform policy. Students shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardian decide not to participate.

The Governing Board feels that there is nothing inherently wrong with dress or color of dress, but when student's dress serves to intimidate or impede the rights of other students it will be determined that dress is in violation of this policy. A student may not remain at school dressed in a manner which (1) creates a safety hazard for said student or for other students at school, and/or (2) when the dress constitutes a serious and unnecessary distraction to the learning process or tends to disrupt campus order

When the site administrator/designee determines that a student's attire is in violation of this policy, the student will be required to modify his/her clothing and/or apparel in such a manner that it no longer violates this policy. If necessary, the student may be taken or sent home with parental permission to modify unacceptable dress and return to school. Refusal to take steps as described in this policy shall be cause for disciplinary action against the student. Any such disciplinary action shall be handled pursuant to existing student disciplinary policy

Parents/guardians have primary responsibility to see that students are properly attired for school. School district personnel have the responsibility for maintaining proper and appropriate conditions conducive to learning. Hence, the following guidelines will be implemented in all district schools.

1. Shoes will be worn at all times. A substantial sole is required and enclosed toe and heel footwear are highly encouraged.
2. Extremely brief garments that are distracting to the educational environment are not appropriate. Clothing shall be sufficient to conceal undergarments at all times.
3. Clothing or accessories shall be free of writing, pictures or any other insignia which are crude, violent, obscene or sexually suggestive or which advocate racial, ethnic or religious prejudice or the use of tobacco, drugs or alcohol.
4. Earrings, jewelry, or accessories which present a safety hazard to the wearer or others are not suitable for school wear.
5. Only prescription sunglasses may be worn in class. Other types of sunglasses may be worn on campus outside of class.
6. Identified gang attire such as bandannas, haircuts or hair rollers, or any gang paraphernalia are prohibited.

Students are allowed to wear sun protective clothing, including hats, while outdoors during the school day. Each school site will develop a policy indicating the type of sun protective hats that are permitted.

No grade of a student participating in a physical education class shall be adversely affected if the student does not wear standardized physical education apparel because of circumstances beyond the student's control. (Education Code 49066) All clothing worn during physical education shall meet reasonable safety standards.

The purpose of adopting these Student Dress Guidelines is not to infringe on any individual student's rights to freedom of expression, but rather to encourage students to dress appropriately and come to school properly prepared for participating in the educational process.

#### Gang-Related Apparel

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed as needed and updated as necessary.

#### Uniforms

In schools where a majority of parents respond and indicate on a survey that they desire to establish a voluntary school-wide uniform dress code, the principal, staff and the parents/guardians of the individual school site shall:

1. Jointly select the specific uniform to be worn. (Education Code 35183)
2. Describe the uniform parts and identify local vendors who sell those pieces of clothing. A description of the implementation of the voluntary uniform dress code will be submitted to the superintendent's designee including:
  - a. The process for parent notification
  - b. Positive procedures that will be used to encourage students to participate with the voluntary uniform dress code
3. A description of the uniform and a list of costs for each competitively priced item of clothing as provided by a variety of vendors will be sent to parents.
4. Parents will be notified that this is a voluntary uniform dress code and that students not participating shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardians so decide.

#### Parent Notification

The principal shall give parents/guardian at least six months notice before a school site implements a voluntary school uniform dress code. (Education Code 35183)

**(G) Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School (EC 35294.2)**

**1. Designated Entry and Exit Points:**

Clearly mark designated entry and exit points on the campus.

Use appropriate signage to guide traffic flow and pedestrian movement.

**2. School Hours Schedule:**

Establish specific school hours and communicate them to all stakeholders.

Ensure that the schedule accommodates staggered arrival and departure times to reduce congestion.

**3. Drop-Off and Pick-Up Zones:**

Designate specific drop-off and pick-up zones for students and communicate their locations to parents.

Ensure these zones are clearly marked and supervised during peak arrival and dismissal times.

**4. Staff Responsibilities:**

Assign staff members to manage entry and exit points, including security personnel, teachers, and administrators.

Staff should be trained in safety procedures and be responsible for directing traffic and ensuring pedestrian safety.

**5. Parking Regulations:**

Clearly define parking areas for staff and visitors.

Enforce parking regulations to prevent congestion and unauthorized parking.

**6. Arrival Procedures:**

**Students:**

Encourage students to arrive at school well before the first class.

Instruct students to use designated walkways and crosswalks.

**Parents:**

Advise parents to follow drop-off and pick-up procedures and avoid double parking.

Ensure parents remain in their vehicles during drop-off and pick-up to maintain traffic flow.

**7. Dismissal Procedures:**

**Students:**

Implement a staggered dismissal schedule for different grade levels if applicable.

Assign staff members to supervise dismissal areas and ensure students leave safely.

**Parents:**

Communicate dismissal procedures to parents and guardians.

Ensure parents follow designated routes and pickup times.

**8. Visitor Access:**

Implement a visitor registration and check-in system at the main entrance.

Require all visitors to sign in and obtain visitor badges.

**9. Emergency Procedures:**

Develop and communicate emergency evacuation plans and shelter-in-place procedures to staff, students, and parents.

Conduct regular drills to ensure everyone is familiar with emergency protocols.

**10. Regular Review and Improvement:**

Periodically review and assess the effectiveness of these procedures.

Solicit feedback from staff, parents, and students to identify areas for improvement.

**11. Communication:**

Maintain open lines of communication with parents and staff regarding any changes in procedures or emergency situations.

Utilize various communication channels, including email, phone calls, and text messages, to keep stakeholders informed.

**12. Enforcement:**

Enforce the procedures consistently and address any violations promptly and appropriately.

## **(H) A Safe and Orderly School Environment Conducive to Learning (EC 35294.2)**

### **Component:**

#### **Physical Environment**

##### **The Schools' Location and Physical Environment**

Orangewood High School/Elementary eAcademy is located in the Redlands area of San Bernardino County which has an average crime rate and high poverty level. The immediate area around the school includes both residential and commercial properties. Present safety hazards include a busy freeway at one end of the campus and a newly operational railroad on the other. Additionally, the school is located in a neighborhood that has a high crime rate and a large transient population. OHS also shares a campus with the RUSD alternative elementary campus (eAcademy). This accounts for an additional student population, and shared student spaces, and facilities.

##### **Description of School Grounds**

The school site encompasses 5 acres. The grounds are grass, concrete, and asphalt and include basketball and volleyball courts, baseball diamonds, and a lined track. There are several wings and/or clusters of classrooms including 12 classrooms and 6 re-locatable classrooms. Other ancillary structures include a multipurpose room, an athletics facility, a library/career center, and office buildings for both the high school and the elementary independent study program (5 classrooms, a teacher workroom, an administrative office and teacher workspaces for virtual instruction.

During the school day, staff members and administrators shall provide campus supervision. Identified problem areas receive increased supervision to reduce discipline, crime, or other school safety concerns.

It shall be the practice of Orangewood High School to remove all graffiti from school property before pupils arrive to begin their school day. Other acts of vandalism are promptly addressed.

##### **Maintenance of School Buildings/Classrooms**

The school's physical facility is well-maintained and looks neat and clean. The school was most recently painted in 2013 and renovated during the 2003 year and the 2019 school year added an updated Library and Career Center. A wellness center was added in 2024 and two mental health specialists occupy the space. District personnel periodically examine the school's physical facility and help eliminate obstacles to school safety. Additionally, health and fire department inspectors contribute to school safety.

##### **Internal Security Procedures**

Orangewood High School has established procedures in the following areas: California Safe School Assessment (CSSA) reporting procedures, suspension and expulsion procedures, inventory system, clear student discipline procedures, alternative to suspension protocols, and ongoing safety/security evaluations. All staff procedural handbooks are regularly updated and contain all district safety protocols and procedures.

Orangewood High School crime statistics reflect a total of 0 crimes reported during the 2023-2024 school year.

Keeping reportable crimes at a minimum requires constant vigilance. The following strategies will be utilized in achieving this goal MTSS systems and practices to reduce suspensions and address behavior gaps. Staff and student-appropriate relationships assist with creating a trusting environment that encourages students to notify a trusted adult of issues on campus. If a student chooses anonymity, they may use the Sprigeo anonymous reporting system. Cameras and constant supervision by administration and campus safety officers also provide consistent coverage on campus.

Orangewood High School maintains a copy of the district's sexual harassment policy in the main office/principal's office and the policy is available on request. The District's Sexual Harassment Policy contains dissemination plans, applicable definitions, reporting requirements, investigation procedures, enforcement regulations, and information related to suspension and/or expulsion for sexual harassment of or by pupils. All policies were updated according to specifications from the Department of Justice. Additionally, a notice summarizing this sexual harassment policy appears in the Parent & Student Handbook, The parent-student handbook is distributed at the beginning of each school year to all parents and pupils.

To ensure the safety of pupils and staff, all visitors to the campus, except pupils of the school and staff members, shall register via Raptor immediately upon entering any school building or grounds when school is in session. District employees, not assigned to Orangewood High School shall wear appropriate identification badges while on campus conducting business.

Discipline procedures shall focus on finding the cause of problems and working with all concerned to reach the proper, lawful solutions. The school's discipline plan begins at the classroom level. Teachers shall use a visible classroom management plan to communicate classroom rules, promote positive pupil conduct, and reduce unacceptable conduct. Appropriate consequences are administered based on the seriousness of the pupil's misbehavior.

Pupil conduct standards and consequences for Orangewood High School are specifically described in this Comprehensive Schools Safety Plan including: (a) the adopted school discipline rules and procedures, (b) District Disciplinary Guidelines, and (c) the adopted school-wide dress code.

Pupils may be suspended, transferred to another school, or recommended for expulsion or for certain acts. For specific student violations, a mandatory expulsion recommendation shall be submitted by the administration of Orangewood High School.

Site administrators contribute to a positive school climate, promote positive pupil behavior, and help reduce inappropriate conduct. The principal/designee uses available district and other appropriate records to inform teachers of each pupil identified under E.C. 49079.

Law enforcement is contacted and consulted to help maintain and to promote a safe and orderly school environment. Orangewood High School employees comply with all legal mandates, regulations, and reporting requirements for all instances of suspected child abuse.

If appropriate, additional internal security procedures affecting the integrity of the school facility include security cameras, Raptor safety drills, a single point of entry, perimeter fencing, closing and locking all gates during school hours, radio communications between safety officers, administration, and local law enforcement, daily safety checks by security officers and administration, and consistent collaboration between all staff safety members. Additionally, OHS and eAcademy work closely to ensure constant collaboration and communication regarding facility usage, safety, and security.

Community involvement is encouraged to help increase school safety.

RPD officers are briefed on the safety plans of the school.

RPD provides in-service to school staff on active shooter protocols, gang activity, and drug use.

OHS staff can contact RPD directly in the event of an emergency so that RPD can respond as quickly as possible.

Parents and families are encouraged to attend district-sponsored safety meetings.

Family and Community members participate regularly in SSC meetings.

Monthly Security/Police liaison meetings.

Inventory System - Engraved ID, Security Storage

Most school-site equipment has a metal ID tag or a bar code sticker adhered to its surface. These items are inventoried annually and there is an established accountability system. Office and classroom supplies are secured.

#### **Element:**

##### **Goal 1:**

Upgrade our camera systems to include more cameras and update the camera technology to allow for cloud storage.

#### **Opportunity for Improvement:**

##### **I. Areas of Pride and Desired Improvements**

###### **a. Pride**

1. OHS is proud of our small, student centered environment that allows students to thrive in a small and individualized environment.
2. OHS creates an environment that allows students to represent their authentic selves by creating brave spaces on campus.

###### **b. Areas of Desired Improvement**

1. Increased supervision opportunities for administration and security officers.
2. Continued focus on encouraging positive behaviors on campus.

| Objectives                                                                                                                                                                                                              | Action Steps                                                                                                                                                                                                                                                                                                                                                                   | Resources                                                                                                                                                                                                                                       | Lead Person                                                                                                                                                                                                                                                                                                                | Evaluation                                                                                                                                                                                                                                                |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| II. Desired Change #1<br>Increase the total number of security cameras to include the front of the school, increased coverage in the lunch areas, athletic areas and local athletic fields, and the parking facilities. | a. Related Strategies and Activities<br>1. Work with the District Safety Supervisor and Business Services division to make arrangements for additional cameras and training opportunities for security officers.<br>2. Regular meetings between security officers and administration to ensure all safety measures are being met and the camera system is operating correctly. | b. Resources Required<br>1. District funding.<br>2. Training<br><br>e. Budget<br>1. \$20,000<br>2.                                                                                                                                              | c. Personnel Assignments<br>1. Principal - collaboration with district office, design and vision<br>District Safety Manager - design and vision<br>2. Office Manager - ordering and recs<br>Security Lead - design and vision support                                                                                      | f. Evaluation criteria<br>1. Completion of camera installation and training<br>2. Completion of infrastructure updates including wi-fi, blue tooth, and facilities upgrades.<br><br>d. Timeframe for completion<br>1. End of 2022-2023 school year.<br>2. |
| III. Desired Change #2<br>Update athletic facility.                                                                                                                                                                     | a. Related Strategies and Activities<br>1. Work with the District CTE representatives to purchase additional equipment.<br>2. Work with M and O to design learning spaces both internally and externally to expand learning opportunities for students.                                                                                                                        | b. Resources Required<br>1. Funding for facilities improvements.<br>2. Funding for equipment.<br><br>e. Budget<br>1. Will work with Maintenance and Operations for funding amounts.<br>2. Will work with Business Services for funding options. | c. Personnel Assignments<br>1. Principal - collaboration with district office, design and vision<br>CTE Teachers and District Representative - design and vision<br>Office Manager - ordering and recs<br>Athletic Director - design and vision<br>2. Maintenance and Operations Director - funding, design and compliance | f. Evaluation criteria<br>1. Complete convertible athletics facility.<br><br>d. Timeframe for completion<br>1. 1-3 years                                                                                                                                  |

#### Component:

School Climate

#### The School's Social Environment

Leadership at Orangewood High School is a shared process. A proactive role is assumed in all phases of the school operation. The current management team is committed to developing Orangewood High School toward excellence in the areas of academic and social behavior.

The principal sets a positive tone for the school, guides the staff and works closely with them on curriculum and school safety issues. The school site's organizational structure is open and flexible contributing to sensitivity concerning school safety issues and promoting a safe, orderly school environment conducive to learning.

#### Disaster Procedures, Routine and Emergency

A contingency plan for emergencies is contained in a handbook available to each staff member. The District's Emergency Response Plan - (ERP Plan) is listed at the last section of this plan. The plan is reviewed at the beginning of each school year. This plan also contains available district and outside agency resources, emergency disaster procedures and information on Standardized Emergency Management System (SEMS).

### Classroom Organization and Structure

Orangewood High School teachers provide a varied learning environment in their classrooms. Teachers use a variety of teaching strategies including: small group instruction, direct instruction, collaborative groups, inclusion, teaching with technology (Newline Boards, etc.) independent work, and Universal Design for Learning strategies.

The teachers at Orangewood High School are highly qualified, with many teachers holding advanced degrees. The staff is united in their desire to provide quality education for all pupils. Classrooms and teachers provide a safe, orderly learning environment, enhance the experience of learning, and promote positive interactions among pupil and staff. Instructional time is maximized and disruptions are minimized.

### The School's Cultural Environment

There is a high level of cohesiveness among the staff members at Orangewood High School. Cooperation and support between teachers and the administration is evident. Efforts are made by the administration and staff to show concern for all pupils.

All pupils are expected to behave in a manner that promotes safety and order. Pupils are encouraged to bring problems to the principal, assistant principal, counselor, teacher or other staff members. The everyday goal is for the staff to be proactive rather than reactive in all situations of concern.

The academic and behavioral efforts of pupils are recognized and rewarded.

Cultural diversity is celebrated throughout the year by students participating in OASIS our introductory course, listening to guest speakers regarding Black History Month, equity and school culture, encouraging student interactions in the Career Center, and deliberate group work, and class discussions. Students have formed a Social Justice committee and BSU to address cultural injustice issues. A student advisory committee was formed to discuss equity and diversity issues on campus. Lastly, Ethnic Studies is offered to all students as an elective option.

### Element:

#### Goal 2:

To continue to build student connections to high school, reinforce positive behaviors on campus, and help students create post secondary plans.

### Opportunity for Improvement:

#### I. Areas of Pride and Desired Improvements

##### a. Pride

1. OHS maintains a positive school climate where all students feel welcome and supported.
2. Students and families appreciate the individualized options that assist students in gaining confidence and life skills that prepare them for post-secondary success.

##### b. Areas of Desired Improvement

1. Improved attendance through greater connection to school.
2. Improved student academic achievements to secure a diploma and to be prepared for post-secondary success.



| Objectives                                                                                                                        | Action Steps                                                                                                                                   | Resources                                                                                                           | Lead Person                                                                                                                                                                             | Evaluation                                                                                                                                                                                                                                   |
|-----------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| II. Desired Change #1<br>Increased opportunities for families and caregivers to participate in the culture and climate on campus. | a. Related Strategies and Activities<br>1. starting a community garden<br>2. Family Needs Assessment                                           | b. Resources Required<br>1. LCAP funding<br>2. Community support<br><br>e. Budget<br>1. \$6,000<br>2.               | c. Personnel Assignments<br>1. Principal - supervising and monitoring needs assessment data, participation and activities<br>2. SEB Team - create and monitor community garden project. | f. Evaluation criteria<br>1. Improved attendance and graduation rates.<br>2. Increased participation on campus for families and caregivers.<br><br>d. Timeframe for completion<br>1. 2 - 4 years to grow the and maintain the program.<br>2. |
| III. Desired Change #2<br>Intramural Athletics                                                                                    | a. Related Strategies and Activities<br>1. Find teacher mentors/advisors<br>2. recruit students<br>3. create and maintain a schedule of events | b. Resources Required<br>1. equipment<br>2. Funding for awards and incentives.<br><br>e. Budget<br>1. \$5,000<br>2. | c. Personnel Assignments<br>1. Principal - recruit advisors and purchase equipment<br>2. MTSS Coordinator - planning, prep and budgeting for events.                                    | f. Evaluation criteria<br>1. Increased student participation in lunch activities and after school activities<br>2. Increased attendance and graduation rates<br><br>d. Timeframe for completion<br>1. End of 2023-2024 school year.<br>2.    |

#### Component:

School Climate

#### The School's Social Environment

Leadership at Orangewood High School is a shared process. A proactive role is assumed in all phases of the school operation. The current management team is committed to developing Orangewood High School toward excellence in the areas of academic and social behavior.

The principal sets a positive tone for the school, guides the staff and works closely with them on curriculum and school safety issues. The school site's organizational structure is open and flexible contributing to sensitivity concerning school safety issues and promoting a safe, orderly school environment conducive to learning.

#### Disaster Procedures, Routine and Emergency

A contingency plan for emergencies is contained in a handbook available to each staff member. The District's Emergency Response Plan - (ERP Plan) is listed at the last section of this plan. The plan is reviewed at the beginning of each school year. This plan also contains available district and outside agency resources, emergency disaster procedures and information on Standardized Emergency Management System (SEMS).

#### Classroom Organization and Structure

Orangewood High School teachers provide a varied learning environment in their classrooms. Teachers use a variety of teaching strategies including: small group instruction, direct instruction, collaborative groups, inclusion, teaching with technology (Newline Boards, etc.) independent work, and Universal Design for Learning strategies.

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There is a high level of cohesiveness among the staff members at Orangewood High School. Cooperation and support between teachers and the administration is evident. Efforts are made by the administration and staff to show concern for all pupils.

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The academic and behavioral efforts of pupils are recognized and rewarded.

Cultural diversity is celebrated throughout the year by students participating in OASIS our introductory course, listening to guest speakers regarding Black History Month, equity and school culture, encouraging student interactions in the Career Center, and deliberate group work, and class discussions. Students have formed a Social Justice committee and BSU to address cultural injustice issues. A student advisory committee was formed to discuss equity and diversity issues on campus. Lastly, Ethnic Studies is offered to all students as an elective option.

#### Element:

Safety Committee Updates

#### Opportunity for Improvement:

I. Areas of Pride and Desired Improvements

##### a. Pride

1. OHS maintains a positive school climate where all students feel welcome and supported.
2. Students and families appreciate the individualized options that assist students in gaining confidence and life skills that prepare them for post-secondary success.

##### b. Areas of Desired Improvement

1. Improved attendance through greater connection to school.
2. Improved student academic achievements to secure a diploma and to be prepared for post-secondary success.

##### c. Safety and Security in a natural disaster or emergency

1. Student Safety
2. Preparation for active shooter or natural disaster

| Objectives                                                                                                                                                                                                             | Action Steps                                                                                                                                                                                                                                                             | Resources      | Lead Person             | Evaluation                 |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|-------------------------|----------------------------|
| Desired Change:<br>Complete update of the safety committee and safety procedures to ensure all lockdown, safe and secure, and critical incident procedures are followed to ensure transparency and fidelity in action. | <ol style="list-style-type: none"> <li>1. Identify Safety Committee Members</li> <li>2. Schedule Meetings</li> <li>3. Train Safety Committee</li> <li>4. Conduct Drills</li> <li>5. Reflect and Improve Processes</li> <li>6. Continuous Cycle of Improvement</li> </ol> | General budget | Carli Norris, Principal | Carli Norris<br>Jeffrey Im |

## **(I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5)**

### **Orangewood High School and eAcademy Student Conduct Code**

#### Procedures to Ensure a Safe and Orderly Environment

##### Rules and Procedures on School Discipline

##### Philosophy of Discipline

- Behavior expectations and the consequences for not meeting expectations must be clearly communicated to all students and their parents (in writing as well as verbally).
- The severity of consequences for violating behavior expectations increases with each incident of inappropriate behavior.
- The consequences for violating behavior expectations should be severe enough to discourage students from making poor behavior decisions.
- Expectations and consequences should permit students an opportunity to eliminate inappropriate behavior.

Additionally, the school staff recognizes that the middle school years are a transition time from adolescence to young adulthood. As a part of this transition, the student is given greater opportunities to be responsible and demonstrate independence and good judgment. The structure of our behavior expectations (in the classroom as well as school wide) is meant to encourage students to be responsible. The first step in many instances of inappropriate behavior (those considered to be "minor") is a simple warning ("Your behavior is unacceptable. Please stop such behavior"). It is only when a student ignores such warnings and continues to choose to act irresponsibly (like a child rather than an emerging adult) that we involve parents and implement consequences.

#### Elements of a Good Discipline Program

1. The program is focused upon making the entire campus, especially the classroom, a safe, supportive and orderly environment for learning for students and staff.
2. Classroom authority is retained by the classroom teacher. (Administration's role is to support, not to replace.)
3. Rules and procedures are clearly understood by staff and students.
4. All staff members will acknowledge and take appropriate action on any minor or major infraction of the school rules.
5. Rules and procedures comply with State Law and District policies.
6. The program recognizes the responsibilities and the rights of students and staff.
7. Program is structured to keep students in class and engaged in the educational process.
8. Rules are enforced:
  - A. by all staff members at all times.
  - B. strictly, but not rigidly (beware of "automatics").
  - C. in substantial part by adult modeling.
  - D. using techniques that promote the growth of positive self-esteem.
  - E. as close to the source as is possible.
  - F. by keeping parents informed.
9. The discipline program is understood, endorsed, and supported by staff, parents, and students.

#### PRINCIPAL'S STATEMENT TO STAFF

##### Expectations in Developing & Maintaining Discipline

As Principal of our school, I will expect;

Each teacher to have a defined system of classroom management. A written description of this system, including representative examples of the progressive interventions you intend to employ, will be approved and filed by me. Whenever possible and appropriate, teachers are encouraged to use standards and systems that are consistent with other village/department members.

You can expect

Each administrator to assist and support you in every reasonable way in developing, implementing, and refining that system as needed.

I will expect

That when you refer a student for discipline:

1. The student has been made fully aware of classroom and school rules and knows what rules he/she has violated.
2. Teachers within a village will discuss any continuing behavior problems and schedule a team conference with the student and parents when appropriate.
3. That information will be provided on the referral regarding previous actions you have taken regarding this specific issue.
4. You have exhausted the interventions at your disposal (i.e., you have done everything you can do) and you have followed the guidelines established by the administration and staff on what constitutes an appropriate behavior referral.
5. The behavior was so serious or so blatant as to make immediate removal from the classroom necessary.
6. The written referral will be explicit in stating the offense(s).
7. You will send the student out of class with a referral only if his/her continued presence in the class would disrupt or prevent teaching and/or learning.
8. If necessary, the referral will be delivered to the office at a time convenient to the staff member so that the issue may be handled most efficiently, causing a minimum of lost class time.

You can expect

1. Each administrator to support your position in every reasonable way.
2. A response time on your referral of one, or at most, two days.

3. The availability of an administrator to discuss unresolved referrals after school on any given day.
4. That the administrator will exercise independent judgment regarding disposition of referrals.

I will expect

1. That each teacher will go to the doorway of his/her classroom after each class period as often as possible and assume control of student behavior in the corridor.
2. That each staff member will hold students accountable for their behavior on the school grounds at all times.

You can expect

1. Administrator support, investigation, and follow-through as indicated.
2. A response to referrals from incidents outside the classroom to be the same as to those within.

### **Conduct Code Procedures**

#### **WHAT TO DO WHEN PROBLEMS APPEAR**

Both behavioral and academic problems are present in some of our students. Teachers often ask for guidelines for dealing with these problems. Here they are:

1. Talk to the administrator assigned to your grade level.
2. Call parents at first sign of concern. Inform the parents of your observations, ask for their ideas, assistance, and support in serving the student. Keep a log of your calls.
3. If possible, talk privately to the student about your concerns.
4. Behavior concerns—look through students' CUM file. Any official suspensions will be in file, also look for teacher comments on report cards. Look for patterns of behavior. We use In-House Suspension whenever possible, as it is preferable to having students at home unattended—and it saves the district money. Serious infractions (fighting, threats, etc.) do result in official suspension. Unresponsive students can be moved to other schools or expelled.
5. Referrals—please remember if you write a student referral, you are required to call the parents. You are writing the referral and can answer the parents' questions firsthand. Administrators will also call parents, but we can only give secondhand information on the incident.
6. Academic Concerns—again, look through student CUM. This will contain test scores, report cards, and a student history. You may want to ask the grade level administrator to schedule a Student Study Team (SST). This will involve a meeting with the student, parents, administrators, students' teachers, and perhaps the psychologist

### **(K) Hate Crime Reporting Procedures and Policies**

#### **1. Recognizing Hate Crimes:**

Ensure that all members of the school community, including students, staff, and parents, are educated on what constitutes a hate crime or incident. This includes any action, behavior, or expression that targets an individual or group based on their race, ethnicity, religion, gender, sexual orientation, disability, or other protected characteristic. Work to prevent hate crimes with MTSS measures.

#### **2. Multiple Reporting Channels:**

Provide multiple channels for reporting hate crimes or incidents to encourage students, staff, and parents to come forward without fear of retaliation. These channels may include:

In-person reporting to trusted staff members (e.g., teachers, counselors, administrators).

Anonymous reporting through Sprigeo or WeTip

Reporting to trusted adults outside of the school community (e.g., parents, guardians).

Immediately stop and/or remove hate language and victim (if needed).

#### **3. Reporting to Designated Staff:**

Ensure that these staff members are trained in sensitivity, confidentiality, and the proper handling of hate crime reports.

#### **4. Immediate Response:**

Treat all reports seriously and respond promptly.

If an incident is ongoing or poses an immediate threat, contact law enforcement or emergency services if necessary. Contact Rudy Wilson and use the online reporting system.

**5. Confidentiality:**

Maintain the confidentiality of the reporter to the greatest extent possible, consistent with the need to investigate and address the incident.

**6. Investigation:**

Conduct a thorough and impartial investigation into the reported hate crime or incident.

Involve relevant stakeholders, such as school security, compliance assistant superintendent, Title IX coordinator, safety manager, counselors, and administrators, in the investigation.

**7. Support for Victims:**

Ensure that victims of hate crimes or incidents receive appropriate support, including counseling and resources to address emotional and psychological distress.

**8. Disciplinary Action:**

If the investigation confirms a hate crime or incident, take appropriate disciplinary action against the responsible party, in accordance with school policies and applicable laws.

**9. Documentation:**

Maintain detailed records of all reported hate crimes or incidents, investigations, and actions taken. All reports must be entered in the District online reporting system. Follow up within 10 days from the Assistant Superintendent of Compliance will direct the next steps.

Use this documentation to identify patterns or trends and inform prevention strategies.

**10. Communication:**

Communicate with the school community about the incident and the actions taken to address it while respecting the privacy of those involved. This will go through the AS of Compliance and the District PIO.

Emphasize the school's commitment to fostering a safe and inclusive environment.

**11. Prevention and Education:**

Implement educational programs and initiatives aimed at preventing hate crimes and promoting tolerance and inclusivity. Incorporate discussions on hate crimes and their consequences into the school's curriculum.

**12. Periodic Review:**

Regularly review and assess the effectiveness of the hate crime reporting procedure.

Make necessary updates and improvements based on feedback and evolving best practices.

**(J) Procedures to Prepare for Active Shooters**

**1. Develop an Emergency Response Team (ERT):**

Charles Thaxton, Carli Norris, Alisa Beal, Kim Elgin, Adam Waggoner, Nicole Howes

**2. Create an Emergency Response Plan:**

Develop an up-to-date and comprehensive emergency response plan that includes specific procedures for dealing with an active shooter.

Collaborate with local law enforcement agencies to ensure alignment with their response strategies.

**3. Conduct Drills and Training:**

Regularly conduct active shooter drills and training exercises for all students and staff.

Include scenarios for different locations within the campus.

Ensure participants understand procedures for lockdown, evacuation, and sheltering in place.

**4. Designate Safe Spaces:**

Identify and mark safe spaces within the school where students and staff can seek shelter during an active shooter incident. Ensure that safe spaces are equipped with supplies, communication tools, and emergency kits.

**5. Communication Protocols:**

Establish clear and efficient communication protocols to alert students, staff, and parents in case of an active shooter. Use a variety of communication channels, including text messages, PA systems, and mobile apps.

**6. Lockdown Procedures:**

Implement lockdown procedures that include locking doors, turning off lights, and maintaining silence in classrooms. Train staff and students to barricade doors and windows if possible.

**7. Evacuation Routes:**

Develop evacuation routes that lead to safe areas outside the school. Assign staff members to guide and support students during evacuations.

**8. Law Enforcement Coordination:**

Establish a close working relationship with local law enforcement agencies. Share campus maps, emergency plans, and contact information for seamless coordination.

**9. First Aid and Medical Support:**

Ensure staff members receive basic first aid training to provide initial medical assistance if needed. Establish procedures for requesting and receiving medical support during an active shooter incident.

**10. After-Action Review:**

Conduct thorough debriefings and after-action reviews following drills and incidents to identify areas for improvement. Use feedback to revise and update the emergency response plan as necessary.

**11. Psychological Support:**

Provide counseling and psychological support for students, staff, and parents affected by an active shooter incident. Collaborate with mental health professionals to address trauma and stress.

**12. Continuous Training and Awareness:**

Maintain ongoing training and awareness programs to ensure that students and staff are always prepared for the possibility of an active shooter incident.

**Procedures for Preventing Acts of Bullying and Cyber-bullying**

**Educate Students and Staff:**

Conduct regular awareness programs and training sessions for students, staff, and parents to recognize, prevent, and report bullying and cyberbullying incidents.

**Promote a Positive School Climate:**

Foster a positive and inclusive school culture through activities that promote empathy, respect, and tolerance among students and staff.

**Anonymous Reporting System:**

Sprigeo and WeTip

**Supervision and Monitoring:**

Supervise in areas where bullying often occurs, such as hallways, restrooms, and school buses.

Monitor online activities and social media platforms to identify and address cyberbullying.

**Designate Trusted Adults:**

Encourage students to identify and reach out to trusted adults, such as teachers, counselors, or administrators, if they experience or witness bullying.

**Prompt Intervention:**

Respond promptly and consistently to reports of bullying or cyberbullying, initiating investigations and disciplinary actions as needed. Use RUSD Bullying form for reporting.

**Conflict Resolution Programs:**

Utilize conflict resolution and mediation programs to teach students effective communication and conflict resolution skills.

**Digital Citizenship Education:**

Use Advisory to share digital citizenship education in the curriculum to teach responsible and ethical online behavior.

**Parental Involvement:**

Engage parents and guardians in anti-bullying efforts through workshops, informational sessions, and communication about their role in prevention.

**Social Media Policies:**

Communicate clear guidelines for students' use of social media, emphasizing responsible and respectful online behavior.

Ensure compliance with state and federal laws related to bullying prevention and reporting.

**Consistent Consequences:**

Maintain consistent consequences for individuals found guilty of bullying or cyberbullying, ensuring that all offenders are held accountable.

**Victim Support Services:**

Provide counseling and support services for victims of bullying to help them cope with the emotional and psychological effects.

**Restorative Practices:**

Implement restorative justice practices, such as conflict circles or conferences, to repair relationships and promote understanding between offenders and victims.

**Community Involvement:**

Collaborate with local community organizations and law enforcement agencies to reinforce anti-bullying efforts and support victims.

**Continuous Evaluation:**

Continually evaluate and update anti-bullying procedures and programs based on feedback and changing circumstances to ensure their effectiveness in preventing bullying and cyberbullying on the high school campus.



## Safety Plan Review, Evaluation and Amendment Procedures

The Safety Plan Review, Evaluation, and Amendment Procedure will involve a comprehensive assessment of the existing safety protocols at least once a year, with input from staff, students, and community stakeholders (SSC). During each review, we will analyze incident reports, feedback from safety drills, and relevant district, state or federal guidelines to identify areas for improvement. All amendments will be approved by the SSC and documented and communicated to all staff, students, and families, ensuring everyone is informed of updates. Additionally, a dedicated safety committee will convene biannually to discuss findings and recommend changes, fostering a proactive approach to maintaining a safe school environment.

Safety Plan Appendices

Safety Plan Review, Evaluation and Amendment Procedures

| Activity Description<br>(i.e. review steps, meetings conducted, approvals, etc) | Date and Time      | Attached Document<br>(description and location) |
|---------------------------------------------------------------------------------|--------------------|-------------------------------------------------|
| Safety Meeting                                                                  | September 26, 2024 |                                                 |
| Earthquake Drill                                                                | October 17, 2024   |                                                 |
| Fire Drill                                                                      | November 12, 2024  |                                                 |
| Lockdown Drill                                                                  | October 10, 2024   |                                                 |
| Safety Meeting - Possible Amendments                                            | November 19, 2024  |                                                 |

## Emergency Response Guidelines

### Step One: Identify the Type of Emergency

Identify emergency and contact the District Safety Manager, Assistant Superintendent of Compliance, PIO, Director of Secondary Education and appropriate local agency. Initiate lockdown using Raptor. Initiate all call. Lock all doors. Prepare information for first responders. Implement communication plan via Parent Square. Communicate with staff to use provided lockdown procedures. Contact subs and non RUSD staff that are on site.

### Step Two: Identify the Level of Emergency

Identify and determine level of emergency to notify appropriate office and officials using provided District color coded student safety list.

### Step Three: Determine the Immediate Response Action

Identify and determine level of emergency to notify appropriate office and officials using provided District color coded student safety list.

### Step Four: Communicate the Appropriate Response Action

Using Raptor or digital communications, notify all responsible parties of the situation, required response, and safety information.

## Types of Emergencies & Specific Procedures

### Earthquake

#### 1. Education and Training:

Conduct regular earthquake drills and provide training to all students and staff on earthquake preparedness, including Drop, Cover, and Hold On techniques via Raptor and the Great Shake Out.

#### 2. Emergency Supplies:

Maintain a supply of emergency kits and first-aid supplies throughout the campus, including classrooms, offices, and common areas.

#### 3. Emergency Contact Information:

Google Folder with updated list of emergency contact information for students, staff, and parents or guardians.

All staff members have access to this contact list.

#### 4. Evacuation Plans:

Clear and well-marked evacuation routes that lead to safe assembly areas on the campus grounds.

All staff members are trained to guide and support students during evacuations.

#### 5. Shelter-in-Place Areas:

List and communicate shelter-in-place areas within buildings for situations where evacuation may not be safe.

#### 6. Accountability and Reunification:

Use Raptor to account for all students and staff members after an earthquake. Use Raptor for the reunification procedures for reuniting students with their parents or guardians.

#### 7. Communication Protocols:

Use Parent Square to communicate with students, staff, and parents or guardians of the earthquake and its aftermath. Regularly check that communication channels are diverse and include text messages, Raptor, PA systems, and mobile apps.

#### 8. Search and Rescue Procedures:

Regularly train designated staff members in basic search and rescue techniques to assist with initial response efforts.

#### 9. Safety Inspections:

Conduct regular safety inspections of school buildings and facilities to identify and address potential hazards that could be exacerbated by an earthquake.

#### 10. Coordination with Local Authorities:

Maintain the close working relationship with local emergency services, including law enforcement and the fire department, for coordinated response efforts.

#### 13. Psychological Support:

Provide counseling and psychological support for students and staff members affected by the earthquake, addressing trauma and stress.

### **Fire in Surrounding Area**

**1. Education and Training:**

Conduct regular fire drills and provide training to all students and staff on fire preparedness.

**2. Emergency Supplies:**

Maintain a supply of emergency kits and first-aid supplies throughout the campus, including classrooms, offices, and common areas.

**3. Emergency Contact Information:**

Google Folder with updated list of emergency contact information for students, staff, and parents or guardians. All staff members have access to this contact list.

**4. Evacuation Plans:**

Clear and well-marked evacuation routes that lead to safe assembly areas on the campus grounds. All staff members are trained to guide and support students during evacuations.

**5. Accountability and Reunification:**

Use Raptor to account for all students and staff members after an earthquake. Use Raptor for the reunification procedures for reuniting students with their parents or guardians.

**6. Communication Protocols:**

Use Parent Square to communicate a with students, staff, and parents or guardians of the fire and its aftermath. Regularly check that communication channels are diverse and include text messages, PA systems, and mobile apps.

**7. Search and Rescue Procedures:**

Regularly train designated staff members in basic search and rescue techniques to assist with initial response efforts.

**9. Safety Inspections:**

Conduct regular safety inspections of school buildings and facilities to identify and address potential hazards that could be exacerbated by an fire or start a fire.

**10. Coordination with Local Authorities:**

Maintain the close working relationship with local emergency services, including law enforcement and the fire department, for coordinated response efforts.

**13. Psychological Support:**

Provide counseling and psychological support for students and staff members affected by the fire, addressing trauma and stress.

### **Fire on School Grounds**

**1. Education and Training:**

Conduct regular fire drills and provide training to all students and staff on fire preparedness.

**2. Emergency Supplies:**

Maintain a supply of emergency kits and first-aid supplies throughout the campus, including classrooms, offices, and common areas.

**3. Emergency Contact Information:**

Google Folder with updated list of emergency contact information for students, staff, and parents or guardians. All staff members have access to this contact list.

**4. Evacuation Plans:**

Clear and well-marked evacuation routes that lead to safe assembly areas on the campus grounds. All staff members are trained to guide and support students during evacuations.

**5. Accountability and Reunification:**

Use Raptor to account for all students and staff members after an earthquake. Use Raptor for the reunification procedures for reuniting students with their parents or guardians.

**6. Communication Protocols:**

Use Parent Square to communicate a with students, staff, and parents or guardians of the fire and its aftermath. Regularly check that communication channels are diverse and include text messages, PA systems, and mobile apps.

**7. Search and Rescue Procedures:**

Regularly train designated staff members in basic search and rescue techniques to assist with initial response efforts.

**9. Safety Inspections:**

Conduct regular safety inspections of school buildings and facilities to identify and address potential hazards that could be exacerbated by a fire or start a fire.

10. Coordination with Local Authorities:

Maintain a close working relationship with local emergency services, including law enforcement and the fire department, for coordinated response efforts.

13. Psychological Support:

Provide counseling and psychological support for students and staff members affected by the fire, addressing trauma and stress.

**Pandemic**

Follow District Policies for pandemic.

# Blood Borne Pathogen Incident Reporting Form and Exposure Control Plan

## Policy 5141.22: Infectious Diseases

The Governing Board desires to protect students from risks posed by exposure to infectious diseases while providing an appropriate education for all students.

The Superintendent or designee shall determine whether to admit a student with an infectious disease, and shall exclude students only in accordance with law. In making this determination, he/she shall consult the student's parents/guardians, the student's physician and/or the county health department, in accordance with law and consistent with confidentiality provisions. Because bloodborne pathogens such as hepatitis B virus, hepatitis C virus and human immunodeficiency virus (HIV) are not casually transmitted, the sole presence of bloodborne pathogens is not sufficient reason to exclude students from attending school.

(cf. 5112.2 - Exclusions from Attendance)  
(cf. 5141.26 - Tuberculosis Testing)  
(cf. 5141.3 - Health Examinations)  
(cf. 6158 - Independent Study)  
(cf. 6159 - Individualized Education Program)  
(cf. 6183 - Home/Hospital Instruction)

Parents/guardians are encouraged to inform the Superintendent or designee if their child has an infectious disease so that school staff may work cooperatively with the student's parents/guardians to minimize the child's exposure to other diseases in the school setting. The Superintendent or designee shall ensure that student confidentiality rights are strictly observed in accordance with law. No district employee shall release medical information, including knowledge of a bloodborne pathogen infection, without written consent from the parent/guardian or adult student. Such information shall be shared only with those persons specifically named in the written permission.

(cf. 5125 - Student Records)  
(cf. 5022 - Student and Family Privacy Rights)

The Board requires students and staff to routinely observe universal precautions to prevent exposure to bloodborne pathogens and to prevent the spread of all infectious disease.

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)  
(cf. 4119.43/4219.43/4319.43 - Universal Precautions)  
(cf. 5141.23 - Infectious Disease Prevention)

The Superintendent or designee shall ensure that the district's health education program provides information about the nature of bloodborne pathogens and their transmission.

(cf. 5141.6 - Student Health and Social Services)  
(cf. 6142.2 - Sexual Health and HIV/AIDS Prevention Instruction)  
(cf. 6142.8 - Comprehensive Health Education)

# Blood Borne Pathogens - Safety Practices

## Procedures and Regulations

### 1. General

1.1 While recognizing that both students and employees diagnosed with an infectious blood borne disease are entitled to a confidential relationship between themselves, the medical community and/or other agencies, the Board of School Trustees encourages these individuals to meet with the School Principal and/or Superintendent of Schools to discuss their disease and immediate and future needs.

1.2 Assessment

### 2. Students:

2.1. The Superintendent (or designate) will be informed, by the school principal as soon as is known, of any student infected with an infectious blood borne disease.

2.2. A Risk Assessment will be conducted using a team approach including the personal physician, public health personnel, the parent or guardian, and school district personnel as appropriate and will make recommendations about the type of educational and care setting based on the following:

- a. Behavior, neurological development and physical condition of the child;
- b. Type of interaction expected with others.
- c. What the potential is for exposure
- d. Areas for potential for exposure
- e. How exposure may happen
- f. Who needs to know?
- g. What will happen if there is a risk of exposure?

2.3. The team will consider the risk to others in the workplace, whether or not the individual is healthy enough to continue to attend school, and what precautions should be taken to ensure the safety and health of others.

- a. The identity of infected students will remain confidential and restricted to those who need to know or are required to be informed.

2.4. Decisions on attendance at school are dependent on the circumstances of each individual case. Regular evaluation of the appropriateness of attendance will be conducted.

2.5. The Board will be notified immediately when the team considers the health condition of a student to be a danger to the immediate health and welfare of a school, its students or employees of the Board.

- a. Upon being notified of the team's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

### 3. Employees

3.1. The Superintendent will be informed, by district staff as soon as is known, of any employee infected with an infectious blood borne disease.

3.2. Employees with an infectious blood borne disease, who are able to carry out the essential duties of their jobs in a satisfactory manner without posing a health or safety risk to themselves or others, will be entitled to continue their work.

3.3. Decisions regarding potential health or safety hazards will be made on a case-by-case basis in consultation with the employee, the personal physician and district personnel as appropriate.

3.4. The identity of infected employees will remain confidential and restricted to those who need to know or are required to be informed.





- 3.5. The Board will be notified immediately if the Superintendent considers the health condition of an employee to be a danger to the immediate health and welfare of a school, its students or other employees of the Board.
- Upon being notified of the Superintendent's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

#### 4. Hygienic Safety Practices

- 4.1. All employees will follow "Universal Infection Control Precautions" by assuming that blood and other body fluids from all individuals are potentially infectious. These precautions include:
- Routinely using gloves when anticipating contact with blood
  - Immediately washing hands and other skin surfaces after removal of gloves and/or contact with blood
- 4.2. Schools will be provided with appropriate protective equipment including disposable waterproof gloves (natural rubber latex, neoprene, nitrile, or vinyl), tongs or pliers and proper sharps containers.
- 4.3. Schools' medical room mattresses will be either vinyl-coated beds or cloth mattress with a protective vinyl (plastic) covering so that they can be cleaned as needed with a bleach solution.
- 4.4. Blankets can be cleaned as needed by forwarding them, in a clearly labeled plastic bag, to the Assistant Supervisor Operations at the Facilities Office.

#### 5. Universal Precautions

- 5.1. Universal Precautions to prevent transmission of blood-borne disease will be followed. *Universal Precautions* is the term for infection control measures endorsed by the Canadian Centre for Occupational Health and Safety for workers who might come into contact with blood and other body fluids. In summary they include:
- Wash hands for 30 seconds after contact with blood and other body fluids contaminated with blood.
  - Wear disposable latex gloves when you encounter blood, body fluids, or when cleaning cuts, scrapes or wounds. Wash your hands as soon as you remove your gloves. Dispose gloves in a plastic bag.
  - Use disposable absorbent material like paper towels to stop bleeding.
  - Discard bloodstained material in a sealed plastic bag and deposit in the garbage. Label as containing blood-tainted material.
  - Cover cuts or scrapes with a bandage until healed.
  - Immediately protect staff and students from coming in contact with blood-soiled surfaces. The area must be disinfected with a fresh solution of one part bleach and nine-parts water (10% bleach solution).

Mops or brushes used for cleaning should be soaked in a bleach solution for 20 minutes.

(Note: The custodial department will provide each school with the product for dissolving in water to provide the bleach solution.)

#### 6. Identification of Risks of Occupational Exposure

- 6.1. In accordance with the Occupational Health and Safety Regulations (section 6.35), the district's Health & Safety Coordinator will develop and maintain a list of positions and/or tasks and procedures where there is a potential for occupational exposure to a blood borne pathogen.
- 6.2. Employees who have, or may have, occupational exposure to the hepatitis B virus, will upon request, receive a hepatitis B vaccination (section 6.39, OH&S Regs).
- 6.3. Employees who may have been exposed to a blood borne pathogen in an exposure incident will be advised to immediately seek medical attention

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13:53:10 UTC-7

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SIGNED

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13:53:45 UTC-7



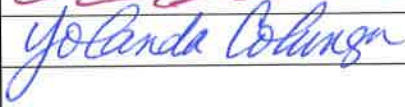
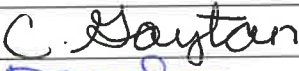

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# Comprehensive School Safety Plan

**2024-2025  
School Year**

**School:** Redlands East Valley High School  
**CDS Code:** 36-67843-3630779  
**District:** Redlands Unified School District  
**Address:** 31000 East Colton Avenue  
Redlands, CA 92374  
**Date of Adoption:** October 24, 2023  
**Date of Update:** September 25, 2024  
**Date of Review:**  
- with Staff October 7, 2024  
- with Law Enforcement  
- with Fire Authority

**Approved by:**

| Name             | Title          | Signature                                                                            | Date    |
|------------------|----------------|--------------------------------------------------------------------------------------|---------|
| Shana Kamper     | Principal      |  | 9/25/24 |
| Sean Molloy      | Teacher        |                                                                                      |         |
| Richard Nakaoka  | Teacher        |                                                                                      |         |
| Austin Brown     | Teacher        |  | 9-25-24 |
| Yolanda Colunga  | Office Manager |  | 9/25/24 |
| LaRena Garcia    | Parent         |                                                                                      |         |
| Cecilia Luk      | Parent         |                                                                                      |         |
| Cosette Gaytan   | Parent         |  | 9/25/24 |
| Raquel Gutierrez | Parent         |  | 9/25/24 |
| Berenice Zuniga  | Parent         |                                                                                      |         |

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## Comprehensive School Safety Plan Purpose

Effective January 1, 2019, Assembly Bill 1747 (Rodriguez), School Safety Plans, became law. This bill requires that during the writing and development of the comprehensive school safety plan (CSSP), the school site council or safety committee consult with a fire department and other first responder entities in addition to currently required entities. It requires the CSSP and any updates made to the plan to be shared with the law enforcement agency, the fire department, and the other first responder entities.

The California Education Code (sections 32280-32288) outlines the requirements of all schools operating any kindergarten and any grades 1 to 12, inclusive, to write and develop a school safety plan relevant to the needs and resources of that particular school.

In 2004, the Legislature and Governor recast and renumbered the Comprehensive School Safety Plan provisions in SB 719 and AB 115. It is the intent of the Legislature in enacting the provisions to support California public schools as they develop their mandated comprehensive safety plans that are the result of a systematic planning process, that include strategies aimed at the prevention of, and education about, potential incidents involving crime and violence on school campuses.

The historical requirement of the Comprehensive School Safety Plan was presented in Senate Bill 187, which was approved by the Governor and chaptered in 1997. This legislation contained a sunset clause that stated that this legislation would remain in effect only until January 1, 2000. Senate Bill 334 was approved and chaptered in 1999 and perpetuated this legislation under the requirement of the initial legislation.

Comprehensive School Safety Plans are required under SB 719 & AB 115 and contains the following elements:

Assessment of school crime committed on school campuses and at school-related functions

- Child abuse reporting procedures
- Disaster procedures
- Suspension and expulsion policies
- Procedures to notify teachers of dangerous pupils
- Discrimination and harassment policies
- School wide dress code policies
- Procedures for safe ingress and egress
- Policies enacted to maintain a safe and orderly environment
- Rules and procedures on school discipline
- Hate crime reporting procedures

The Comprehensive School Safety Plan will be reviewed and updated by March 1st every year. In July of every year, the school will report on the status of its school safety plan including a description of its key elements in the annual school accountability report card.

A copy of the Comprehensive School Safety Plan is available for review at the Redlands East Valley High School office..

## Safety Plan Vision

Redlands East Valley High School is committed to providing a safe and secure environment for our school community. Redlands East Valley High strives to create a school environment in which students attend regularly and feel safe on campus. Redlands East Valley High School works collaboratively with the district office and school board to follow policies and procedures that comply with school safety laws and guidelines. Redlands East Valley High School includes parents, students, teachers, administrators, counselors, community agencies, including law enforcement, in the development of the safety plan in order to ensure a comprehensive plan that fosters a sense of community that works together to create a positive learning environment for its community. Redlands East Valley High School provides an academic program with high expectations of both student performance and behavior in all aspects of the school experience. The Redlands East Valley High School Disaster Preparedness Safety Committee is committed to providing a learning environment where students, staff, and parents are safe and fully prepared in the event of any emergency. This Comprehensive Safety Plan is a living document and subject to revision with input from our educational partners.

## **Components of the Comprehensive School Safety Plan (EC 32281)**

### **Redlands East Valley High School Safety Committee**

#### **Assessment of School Safety**

Annual review of suspension data indicated that suspensions decreased by 1.9%. Annual review of attendance data indicated that chronic absenteeism improved 3.2%.

#### **Strategies and Programs to Provide and Maintain a High Level of Safety (EC 32281(a)1, items A-J)**

##### **Introduction - School Profile**

Redlands East Valley High School is one of twenty-four schools in the Redlands Unified School District with traditions dating back to 1997. Redlands East Valley High School has a diverse pupil student body and is served by a dedicated staff. Staff, students, and parents contribute to the strategies and programs provided at Redlands East Valley High School that maintain a high level of safety.

Redlands East Valley High School is committed to maintaining a school environment in which students attend regularly and feel safe on campus. This section of the Comprehensive School Safety Plan will describe strategies and programs in place that contribute to a safe and orderly school environment conducive to learning.

School Crime Status and Reporting is reviewed annually.

All disciplinary actions requiring suspension or expulsion procedures are tracked and recorded by student services at the district office and in Aeries on site.

##### **Personal Characteristics of Pupil & Staff**

(Additional Health and Welfare Data available from ICOE aggregated DAT surveys)

Redlands East Valley High School has an enrollment of 1866 pupils in 9th-12th grades. Pupils from this school come from families with 18.2 family mobility. Approximately 61.2% of the pupils are in families receiving Aid to Families with Dependent Children that are eligible for free/reduce lunches. The ethnic makeup of the pupil population is 55.9 % Hispanic, 6.1 % African American, 27.9 % Caucasian and 9.7% other ethnicities. Our pupils have a variety of life experiences. Some pupils have recently arrived from foreign countries while others have never left their neighborhood.

##### **Curriculum and Educational Activities**

The course of study includes the basic core curriculum, physical education, and enrichment classes such as art, drama, music, choir, technology, AVID, ROP, CTE College and Career Pathway classes..

Pupils have the opportunity to participate in noon and after-school activities. These include Student Government, ASB sponsored events, club sponsored events, interscholastic athletic sports, contest speech, choral and instrumental programs, tutoring, drama, ethic news, yearbook, academic decathlon, and mock trial..

Staff provides opportunities and additional activities open to pupils in the areas of athletics, academics, technology and cultural events..

**(A) Child Abuse Reporting Procedures (EC 35294.2 [a] [2]; PC 11166)**

#### Policy 5141.4: Child Abuse Prevention and Reporting

The Governing Board recognizes that the district has a responsibility to facilitate the prompt reporting of incidents of child abuse and neglect. The Superintendent or designee shall ensure that parents/guardians have access to procedures whereby they can report suspected child abuse at a school site to appropriate child protective agencies

The Superintendent or designee shall develop and implement regulations for use by employees in identifying and reporting child abuse

District employees shall report known or suspected incidents of child abuse in accordance with district regulations and state law. Employees shall cooperate with the child protective agencies responsible for reporting, investigating and prosecuting cases of child abuse.

(cf. 4112.9 - Signed Statements/Child Abuse Reporting Statements)

The Superintendent or designee shall provide training in child abuse identification and reporting for all certificated and classified personnel. (Penal Code 11165.7)

All employees trained in child abuse identification and reporting shall be given, as a part of that training, written notice of the child abuse reporting requirements and the employees' confidentiality rights. (Penal Code 11165.7)

In order to reduce or eliminate unfounded child abuse accusations directed at school employees, child abuse in service training shall include guidance in disciplining students and maintaining ethical relationships with them.

(cf. 3514 - Safety)

(cf. 5142 - Safety)

#### Duty to Report

Certificated employees and classified employees trained in child abuse identification and reporting shall report known or suspected child abuse to a child protective agency by telephone immediately or as soon as practically possible and in writing within 36 hours. The reporting duties are individual and cannot be delegated to another individual except under circumstances set forth in Penal Code 11166.

#### Definitions

Child Abuse includes the following:

1. A physical injury inflicted by other than accidental means on a child by another person.
2. Willful cruelty or unjustifiable punishment of a child, or willfully inflicting unjustifiable physical pain or mental suffering, or failure to safeguard a child from these injuries when the child is under a person's care or custody
3. Sexual abuse of a child
4. Neglect of a child or abuse in out-of-home care
5. Unlawful corporal punishment or injury resulting in a traumatic condition

Mandated Reporters are those people defined by law as child care custodians, health practitioners, child visitation monitors and employees of a child protective agency. Mandated reporters include virtually all school employees. The following school personnel are required to report:

Teachers, administrators, supervisors of child welfare and attendance, certificated student personnel employees, employees of care institutions, Headstart teachers, school psychologists, licensed nurses, counselors, presenters of child abuse prevention programs and those instructional aides or other classified employees trained in child abuse reporting.

Child Protective Agencies are those law enforcement and child protective services responsible for investigating child abuse reports, including the local police or sheriff department, county welfare or juvenile probation department and child protective services.

Reasonable Suspicion means that it is objectively reasonable for a person to entertain such a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his/her training and experience, to suspect child abuse. (Penal Code 11166)

#### Reporting Procedures

To report known or suspects child abuse, any employee (as defined above) shall report by telephone to the local child protective agency immediately. (Child Protective Services 921 County Center, 3 Court, Modesto, CA phone # 525- 6641)

The following information shall be given:

1. The name of the person making the report
2. The name of the child
3. The present location of the child
4. The nature and extent of any injury

Any other information requested by the child protective agency, including the information that led the mandated reporter to suspect child abuse.

When the verbal 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.

Within 36 hours of making the telephone report, the mandated reporter shall complete and mail to the local child protective agency a written report which includes a completed Department of Justice form (DOJ SS 8572).

Mandated reports may obtain copies of the above form either from the district or local child protective agency.

Instructions are included on the form, and reporters may ask the site administrator for help in completing and mailing it; however, the mandated reporter is personally responsible for ensuring that the written report is correctly filed.

Employees reporting child abuse to a child protective agency are encouraged, but not required, to notify the site administrator or designee as soon as possible after the initial verbal report by telephone. When so notified, the site administrator shall inform the Superintendent or designee.

Administrators so notified shall provide the mandated reporter any assistance necessary to ensure that reporting procedures are carried out in accordance with law and district regulations. At the mandated reporter's request, the principal may assist in completing and filing the form.

If the mandated reporter does not disclose his/her identity to a district administrator, he/she shall at least provide or mail a copy of the written report to the site administrator and the district without his/her signature or name.

#### Legal Responsibility and Liability

Mandated reporters have absolute immunity. School employees required to report are not civilly or criminally liable for filing a required or authorized report of known or suspected child abuse.

A mandated reporter who fails to report an instance of child abuse, which he/she knows to exist or reasonably should know to exist, is guilty of a misdemeanor and is punishable by confinement in jail for a term not to exceed six months or by a fine of not more than \$1,000 or both. The mandated reporter may also be held civilly liable for damages for any injury to the child after a failure to report

When two or more persons who are required to report have joint knowledge of suspected instance of child abuse, and when they so agree, the telephone report may be made by either of them and a single report made and signed by that person.

However, if any person who knows or should know that the person designated failed to make the report, that person then has a duty to make the report.

The duty to report child abuse is an individual duty and no supervisor or administrator may impede or inhibit such reporting duties. Furthermore, no person making such a report shall be subject to any sanction.

#### Victim Interview

Upon request, a child protective agency representative may upon request interview a suspected victim of child abuse during school hours, on school premises, concerning a report of suspected child abuse that occurred within the child's home. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. (Penal Code 11174.3)

A staff member or volunteer aide selected by a child may decline to be present at the interview. If the selected person accepts, the principal or designee shall inform him/her, before the interview takes place, of the following legal requirements:

1. The purpose of the selected person's presence at the interview is to lend support to the child and enable him/her to be as comfortable as possible.
2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the child.
4. The selected person is subject to the confidentiality requirements of the Child Abuse and Reporting Act, a violation of which is punishable as specified by Penal Code 11167.5.
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 or Child Protective Services Agent

When a child is released to a peace officer or child protective agency and taken into custody as a victim of suspected child abuse, the Superintendent and/or principal shall not notify the parent/guardian as required in other instances of removal of a child from school, but rather shall provide the protective agency with the address and telephone number of the child's parent/guardian. It is the responsibility of the peace officer or agent to notify the parent/guardian of the situation. (Education Code 48906)

Peace officer and child protective services agents will be asked to sign an appropriate release or acceptance of responsibility form.

(cf. 5145.11 - Questioning and Apprehension)

#### When School Employees are Accused of Child Abuse

Regardless of who child abusers may be, the major responsibilities of mandated reports are to 1) identify incidents of suspected child abuse, and 2) comply with laws requiring the reporting of suspected abuse to proper authorities. Determining whether or not the suspected abuse actually occurred is not the responsibility of the school employee. Such determination and follow-up investigation will be made by a child protective agency.

Pending outcome of an investigation by a child protective agency and before formal charges are filed, the employee may be subject to reassignment or a paid leave of absence.

Upon filing formal charges or upon conviction, the district may take disciplinary action in accordance with law, district policies, regulations and/or collective bargaining agreements. The Superintendent or designee shall seek legal counsel in connection with either the suspension or dismissal of the employee.

(cf. 4117.4 - Dismissal)  
(cf. 4118 - Suspension/Disciplinary Action (Certificated))  
(cf. 4218 - Suspension/Disciplinary Action (Classified))

## Suspected Child Abuse Reporting Procedures

### I. Initiating the Report

A. The report is initiated by a telephone report to the appropriate agency.

B. If the suspected child abuse has taken place within the family, call the Enter appropriate Agency Hotline at phone number, 1 (800) 827-8724

C. If the suspected child abuse has taken place outside the family, call the local police department at:

Highland Sheriff Police Department  
Phone: (909) 425-9793

D. Content of call.

- 1) Name, address and age of child involved.
- 2) Clear description of suspected abuse.

### II. Written Report

A. The telephone call is to be followed by completion of the Suspected Child Abuse Report (form 11166.P.C.). These forms are available in the Principal's office at the high school or you may access the form on line at:  
[http://ag.ca.gov/childabuse/pdf/ss\\_8572.pdf](http://ag.ca.gov/childabuse/pdf/ss_8572.pdf) for a form or immediately call (909) 384-9233 to file a report.

B. The written report is to be addressed to the person to whom the telephone report was made.

C. The written report must follow the phone call within 36 hours.

1. Suspected child abuse within the family,  
Agency: Children and Family Services  
Address: 150 S. Lena Road, San Bernardino, California 92415

2. Suspected child abuse outside the family should be mailed to the agency to which the report was called -

Adopted: 10/2005  
Highland Sheriff Police Department  
Phone: (909)425-9793

The reporting party should keep the yellow copy of the Suspected Child Abuse Report form (SS8572) or verification of completion of the reporting obligation.

#### Caution:

1. The reporting responsibility has not been discharged until both the telephone call and written reports are complete.
2. School personnel are not to engage in any investigation of suspected cases. The investigation will be done by the child protective services office.
3. The reporting responsibility is an individual one which is NOT discharged by report to supervisors or administrators.

## **(B) Disaster Procedures (EC 35295-35297; GC 8607 and 3100)**

### **Disaster Plan (See Appendix C-F)**

Each classroom, office, library and room on campus has a posting of the emergency procedures and evacuation maps near the exit door. Emergency procedures are reviewed at the beginning of the school year with any necessary updates. Fire Drills are practiced twice each school year. Earthquake drills are practiced twice each school year. Lock Down drills are practiced once each school year.

### **Public Agency Use of School Buildings for Emergency Shelters**

Red Cross utilizes our facilities as an emergency shelter on an as needed basis.

## **(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines**

Policy 5144.1: Suspension And Expulsion/Due Process

### **Suspension and Expulsion**

The Governing Board recognizes that maintaining an environment which promotes learning and protects the health, safety, and welfare of all students may require the suspension or expulsion of a student from regular classroom instruction. District policies and school site rules shall clearly identify district behavior standards

(cf. 5144 - Discipline)

Except in cases where suspension for a first time offense is warranted in accordance with law, suspension shall be imposed only when other means of correction fail to bring about proper conduct. (Education Code 48900.5)

Expulsion is an action taken by the Board for severe or prolonged breaches of discipline by a student. Except for single acts of a grave nature, expulsion is usually used only when there is a history of misconduct, when other forms of discipline, including suspension, have failed to bring about proper conduct, or when the student's presence causes a continuing danger to other students. (Education Code 48915)

The grounds for suspension and expulsion and the procedures for considering, recommending and/or implementing suspension and expulsion shall be specified in Administrative Regulation.

Each principal shall annually inform all students and parents/guardians of the school's discipline rules and procedures and of the availability of all district policies and regulations dealing with student discipline, suspension and expulsion. (Education Code 35291, 35291.5)

(cf. 5145.6 - Parental Notifications)

Suspended or expelled students shall be excluded from all school-related extracurricular activities during the suspension or expulsion.

cf. 6145 - Extracurricular and Cocurricular Activities)

### **Zero Tolerance**

The Board supports a zero tolerance approach to serious offenses in accordance with state and federal law. This approach makes the removal of potentially dangerous students from the classroom a top priority and ensures the standardized treatment of all students. Staff shall immediately report to the Superintendent/ designee any incidence of offenses specified in law, Board policy, and administrative regulation as cause for suspension or expulsion.

### **Student Due Process**

The Board shall provide for the fair treatment of students facing suspension and expulsion by affording them their due process rights under the law. The administration and staff shall comply with procedures for notices and appeals as specified in regulation. Procedures governing student due process shall conform in all aspects to provisions in law. (Education Codes 48911, 48915 and 48915.5)



Whenever a student is suspended, school officials may (but are not required to) meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

cf. 5119 - Students Expelled from Other Districts

(cf. 5144.2 - Suspension and Expulsion/Due Process - Individuals with Exceptional Needs)

#### Rights of Complaining Witness

An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental or emotional needs of a student who is the complaining witness. (Education Code 48918.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Educational Code 48918.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies
3. Have a closed hearing during the time he/she testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48918.5)

#### On-Campus Suspension Program

The Board recognizes that students who are suspended from school frequently have no supervision or guidance during the school hours when they are off campus. The Board believes that in many cases, instead of sending the student off campus, it would be better to address the student's misconduct by keeping the student at school and providing him/her with supervision that is separated from the regular classroom.

The Superintendent or designee shall examine alternatives to off-campus suspension and may establish a suspension program which involves progressive discipline during the school day on campus; using conferences between staff, parents/guardians and students; detention; student study teams or other assessment-related teams; and/or referral to school support services staff.

#### Required Parental Attendance

The Board believes that parental involvement plays an important role in the resolution of classroom behavior problems. The Board expects that teachers will communicate with parents/guardians when behavior problems arise

Whenever a student is suspended from a class because he/she committed an obscene act, engaged in habitual profanity or vulgarity, disrupted school activities or otherwise willfully defied valid staff authority, the teacher of the class from which the student was suspended may require the student's parent/guardian to attend a portion of a school day in that class. After completing the classroom visit and before leaving school premises, the parent/guardian also shall meet with the principal or designee. (Education Code 48900.1)

The Board encourages teachers, before requiring parental attendance, to make reasonable efforts to have the parent/guardian visit the class voluntarily. The teacher also may consider informing the parent/guardian about available resources which may provide help in the development of parenting skills. Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the student and the parent/guardian and to improve classroom behavior.

Parental attendance may be required on the day the student returns to class or within one week thereafter. The principal or designee shall contact any parents/guardians who do not respond to the request to attend school. The Board recognizes that parental compliance with this policy may be delayed, modified or prevented by serious illness/injury/disability, absence from town, or inability to get certain release time from work.

The teacher shall apply this policy uniformly to all students within the classroom. This policy shall apply only to a parent/guardian who actually lives with the student. (Education Code 48900.1)

District regulations and school-site rules for student discipline shall include procedures for implementing parental attendance requirements.

Parents/guardians shall be notified of this policy before it is implemented and at the beginning of each subsequent school year. (Education Code 48900.1, 35291, 48980)

#### Decision Not to Enforce Expulsion Order

In cases where expulsion is mandatory pursuant to Education Code 48915(c), the enforcement of an expulsion order shall not be suspended by the Board. In all other cases of expulsion, the order for expulsion may be suspended by the Board, on a case-by-case basis, pursuant to the requirements of law.

#### Definitions

Suspension from school means removal of a student from on going 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, nor referral to a certificated employee designated by the principal to advise students, nor removal from the class without reassignment to another class or program for the remainder of the period, without sending the student to the principal or designee.

2. Removal from a particular class shall not occur more than once every five school days. (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)

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

School property, for the purposes described in Education Code 48900, includes, but is not limited to, electronic files and databases. (Education Code 48900(s))

#### 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, suspension and expulsion. Transfer students and their parents/guardians shall be notified at the time of enrollment. (Education Code 35291.5, 48900.1, 48980)

(cf. 5144 -Discipline)

(cf. 5145.6 Parental Notifications)

Notification shall include information about the ongoing availability of individual school rules and all district policies and regulations pertaining to student discipline. (Education Code 35291)

(cf. 5145.6 -Parental Notifications)

#### Grounds for Suspension and Expulsion

Students may be suspended or recommended for expulsion when the Superintendent, principal, or principal's designee at the school in which the student is enrolled determines that the student has done any of the acts listed below:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense. (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However, a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code Board Policy Manual Redlands Unified School District 48900(s))

2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48900(b))

(cf. 5 131 - Conduct)

(cf. 5131. 7 - Weapons and Dangerous Instruments)

3. Unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of, any controlled substance as defined in the Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind. (Education Code 48900(c))

(cf. 5131.6 -Alcohol and Other Drugs)

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance or material and represented same as controlled substance, alcohol beverage or intoxicant. (Education Code 48900(d))

5. Committed or attempted to commit robbery or extortion. (Education Code 48900(e))

6. Caused or attempted to cause damage to school property or private property. (Education Code 48900(f))

7. Stole or attempted to steal school property or private property. (Education Code 48900(g))

8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products with prior approval of the principal or designee. (Education Code 48900(h))

9. Committed an obscene act or engaged in habitual profanity or vulgarity. (Education Code 48900(i))

10. Unlawfully possessed, or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code. (Education Code 48900(j))

11. Disrupted school activities or otherwise willfully defied 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))

12. Knowingly received stolen school property or private property. (Education Code 48900(1))
13. Possessed an imitation firearm, i.e., 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))
14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code 243.4. (Education Code 48900(n))
15. 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))
16. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug soma. (Education Code 48900(p))
17. Engaged in, or attempted to engage in, hazing as defined in Education Code 32050. (Education Code 48900(q))
18. Made terrorist threats against school officials and/or school property. (Education Code 48900.7)

A student in grades 4 through 12 is also subject to suspension or recommendation for expulsion when it is determined that he/she:

19. Committed sexual harassment as defined in Education Code 212.5. (Education Code 48900.2)
20. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 33032.5. (Education Code 48900.3)
21. 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 Glasswork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment (Education Code 48900.4)

(cf. 5145.3 -Nondiscrimination/Harassment)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent/principal or within any other school district, including but not limited to the following circumstances:

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.

The Superintendent/principal may use his/her discretion to provide alternatives to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program. (Education Code 48900(r))

cf. 5138 -Conflict Resolution/Peer Mediation)

Alternatives to suspension or expulsion will be used against students who are truant, tardy, or otherwise absent from assigned school activities.

(cf. 5113 -Absences and Excuses)

(cf. 5113.1 - Truancy)

#### Suspension from Class by a Teacher/Parental Attendance

A teacher may suspend any student from the teacher's class for any of the acts listed under "Grounds for Suspension and Expulsion" above for the day of the suspension and the day following. (Education Code 48910)

Suspension from class means the removal of a student from class by a teacher for the day of the suspension and the next day. A teacher may suspend a student from class and may also refer a student for consideration of suspension from school for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

When suspending a student from his/her class, the teacher shall immediately report this action to the principal and send the student to the principal for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been suspended.

As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the suspension. A counselor or psychologist should attend the conference if it is practicable, and a school administrator may attend if either the parent/guardian or teacher so request.

A suspended student shall not be returned to class during the period of suspension without the approval of the teacher of the class and the principal. (Education Code 48910)

A student suspended from class shall not be placed in another regular class during the period of suspension. However, if a student is assigned to more than one class per day, he/she may be placed in any 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 suspended student to complete any assignments and tests missed during the suspension. (Education Code 48913)

When a teacher requires a parent/guardian to attend school in accordance with Board Policy, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is required pursuant to law. (Education Code 48900.1)

1. This notice shall also tell the parent/guardian when his/her presence is expected and by what means he/she may arrange any necessary change.
2. The notice shall describe the protections afforded to the parent/guardian as an employee by Labor Code 230.7.
3. The notice shall state that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student.

The teacher shall remind the parent/guardian to meet with the principal or designee after completing the classroom visit and before leaving school premises.

#### Suspension By Superintendent, Principal Or Principal's Designee

A Superintendent, principal, or principal's designee may suspend a student from a school for any of the acts listed under "Grounds for Suspension and Expulsion" above for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

The Superintendent or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife, as defined in Education Code 48915(g), at another person.

3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.

4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item 414 under "Grounds for Suspension and Expulsion" above.

5. Possession of an explosive as defined in 18 USC 921.

Suspension may be imposed upon a first offense if the Superintendent, principal or designee determines the student violated items (i) - (v) listed in "Grounds For Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903 and 48912)

#### Suspension Procedures

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the principal or designee or the Superintendent or designee between 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 and the evidence against him/her and shall be given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911(b))

This conference may be omitted if the principal, designee or the Superintendent or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or school personnel. If the pre-suspension conference is not held, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference will be held as soon as the student is physically able to return to school. (Education Code 48911(c))

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior

A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee, who in turn will inform the Board.

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 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 also state the date and time when the student may return to school.

Should school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may also add that state law requires the parent/guardian to respond to such request without delay.

4. Parent/Guardian Conference: Whenever a student is suspended, school officials may meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such conference. The student may not be denied readmission solely because the parent/guardian failed to attend. (Education Code 48911)

5. Extension of Suspension: If the expulsion of a suspended student is being considered by the Board, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision. (Education Code 48911(g))

Any extension of the original period of suspension shall be 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. Extension of the suspension may be made only if 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(g))

#### Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal or Principal's 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 if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. 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 may hold closed sessions if a public hearing would lead to disclosure of information which would violate a student's right to privacy under Education Code 49073-49079.

(cf. 9321 -Closed Session Purposes and Agendas)

The Board shall provide the student with written notice of the closed session by registered or certified mail. Upon receiving this notice the student 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 shall be in closed session. (Education Codes 48912)

#### Authority to Expel

A student may be expelled only by the Board. The Board shall expel, as required by law, any student found to have committed certain offenses listed below under "Mandatory Recommendation and Mandatory Expulsion."

The Board may also order a student expelled for any of the acts listed above under "Grounds for Suspension and Expulsion" upon recommendation by the principal, Superintendent, hearing officer or administrative panel, based on finding either or both of the following: (Education Code 48915(b) and (e))

1. That other means of correction are not feasible
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

#### Mandatory Recommendation For Expulsion

The principal, Superintendent or designee shall recommend a student's expulsion for any of the following acts, unless the principal or Superintendent or designee finds, and reports in writing to the Board, that expulsion is inappropriate due to particular circumstances which shall be set out in the report of the incident:

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife as defined in Education Code 48915(g), explosive 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 the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee.

#### Mandatory Recommendation And Mandatory Expulsion

The principal, Superintendent or designee shall recommend that the Board expel any student found at school or at a school activity off school grounds to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48915(c).1)
2. Brandishing a knife as defined in Education Code 48915(g) at another person. (Education Code 48915(c).2)
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058. (Education Code 48915(c).3)
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above. (Education Code 48915(c).4)
5. Possessing an explosive as defined in 18 USC 921.

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

#### Student's Right to Expulsion Hearing

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred. (Education Code 48918(a))

The student is entitled to 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 district's discretion. (Education Code 48918(a))

If the district finds it impracticable 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))

Once the hearing starts, all matters shall be pursued with reasonable diligence and concluded without unnecessary delay. (Education Code 48918(a))

#### 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 48915.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Education Code 48915.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing.



2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies.
3. Have a closed hearing during the time he/she testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48915.5)

#### Written Notice of the Expulsion Hearing

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least ten 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. A parent/guardian of a student expelled for acts described in paragraphs through 4 of Education Code 48915(a), seeks enrollment in another district they must inform the new district of the student's status with the expelling district, pursuant to Education Code 48915.1.

(cf. 5119 -Students Expelled from Other Districts)

5. The opportunity for the student or the student's parent/guardian to appear in person or to employ and be represented by counsel.
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.

#### Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and Education Code 35145, the Board shall conduct the hearing or arrange for an alternative 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 request is made, the meeting shall be public

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to deliberate and determine if the student should be expelled. If the Board admits any other person to the closed session, the parent/guardian, the student, counsel of the student and counsel of the parent/guardian shall also be allowed to attend the closed session. (Education Code 48918(c))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to have his/her testimony heard in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including but not limited to videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

2. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, so long as a reasonably accurate written and complete transcription of the proceedings can be made. (Education Code 48918(g))

3. Presentation of Evidence: While technical rules of evidence do not apply to such hearings, 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 must be supported by substantial evidence that the student committed any of the above acts listed under "Grounds for Suspension and Expulsion" above. Findings of fact shall be based solely on the evidence at the hearing.

While no evidence 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) and

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 Witness: The following procedures shall be observed when hearings involve allegations of sexual assault or sexual battery by a student: (Education Code 48918)

- a. Any complaining witness shall be given five days' notice before being called to testify.
- b. Any complaining witness shall be entitled to have up to two adult support persons, including but not limited to a parent/guardian or legal counsel, present during his/her testimony.
- c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- e. If one or both support persons are also witnesses, the hearing shall be conducted according to Penal Code 868.5.
- f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard.

Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.

g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.

(1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.

(2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.

(3) The person conducting the hearing may:

- (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness.
- (b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
- (c) Permit one of the support persons to accompany the complaining witness to the witness stand.

6. Decision Within Ten Days: The Board's decision on whether to expel a student shall be made within ten school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

7. Decision Within 40 Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

#### Alternative 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. Alternatively, the Board may 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(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified in "Conduct of Expulsion Hearing" above.

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 student shall be immediately reinstated. (See "Reinstatement" below.) The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers and with the student's parent/guardian. (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))

The hearing officer or administrative panel may recommend that the Board suspend the expulsion for a period of one year. (See "Suspension of Expulsion" below.)

The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

#### Stipulated Expulsions

It is the policy of the Redlands Unified School District that, where approved by the Superintendent or designee, parents/guardians may agree to the expulsion of their pupil by stipulation without necessity of a hearing. This process will expedite the pupil's school placement and may expedite the rehabilitation process.

A stipulated expulsion must be purely voluntary. No district administrator or staff member may coerce a pupil, parent or guardian into entering into such a stipulation. Parents/guardians will be given three calendar days to decide on a stipulated expulsion agreement.

If the parent/guardian requests a stipulated expulsion, the Superintendent or designee will promulgate the stipulated agreement. If at any time the parent/guardian decides not to pursue a stipulated agreement, the expulsion proceedings and timelines, extended by the length of the period for consideration of the stipulation, will be reinstated. The stipulated agreement will be presented to the Board for final consideration.

The stipulated agreement will include the terms and conditions of the expulsion order, including alternative placement and a rehabilitation plan to be completed before the student can be re-admitted to the district.

#### Final Action by the Board

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel, the final action to expel must be taken by the Board at a public meeting. (Education Code 48918(f)) The Board shall maintain a record of each expulsion, including its cause. Expulsion records shall be non-privileged, disclosable public records.

(cf. 9321.1 - Closed Session Actions and Reports)

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

Upon ordering the 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 an act listed under "Mandatory Recommendation and Mandatory Expulsion" above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. (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 of the student at the time of review for readmission.
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service and other rehabilitative programs.
3. Such other recommendations as the Board approves.

With parental 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)

Upon expulsion, a copy of readmission procedures will be made available to the student and his/her parent/guardian.

#### Written Notice to Expel

The Superintendent or designee shall send written notice of the decision to expel to the student or parent/guardian. The notice shall include the following:

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed in Education Code 48900(a)-(o), Education Code 48900.2-48900.4 and Education Code 48915(c). (Education Code 48900.8)
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian. (Education Code 48916)
3. Notice of the right to appeal such expulsion to the County Board of Education. (Education Code 48918)
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion. (Education Code 48918)
5. The notice also shall inform the student or parent/guardian of his/her 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)

#### Suspension of Expulsion

The Board, upon voting to expel a student, may suspend the enforcement of the expulsion order for not more than one calendar year. When deciding whether to suspend an expulsion, the Board shall take into account the following criteria:

1. The student's previous behavior.
2. The seriousness of the misconduct.
3. The student's attitude toward the misconduct and his/her willingness to follow a rehabilitation program.

The suspension of the enforcement of an expulsion shall be governed by the following: (Education Code 48917)

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.
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status.
3. The suspension of expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion" above or violates any of the district's rules and regulations governing student conduct.
4. When suspension of expulsion order is revoked, a student may be expelled under the terms of the original expulsion order
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expungement of any or all records of the expulsion proceedings.
6. Suspension 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 of Education.
7. 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 also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education. (Education Code 48918(i))

#### Right to Appeal

The student or parent/guardian is entitled to file an appeal of the Board's decision to the County Board of Education.

The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion action is suspended and the student is placed on probation. (Education Code 48919)

#### Post-Expulsion Placements

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 such a site.
3. Not housed at the school site attended by the student at the time of suspension.

(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for acts described in items #6 through # 13 and # 17 through # 19 under "Grounds for Suspension and Expulsion" above may be instead referred to a program of study that is provided at another comprehensive middle, junior, or senior high school, or at an elementary school.

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)

#### Reinstatement

When the Board accepts a recommendation against expulsion or makes its own decision after the hearing not to expel, the decision is final and the student shall be reinstated immediately. The Superintendent or designee shall place the student in any classroom program, other instructional program, rehabilitation program, or any combination of such programs following consultation with district personnel, including the teacher involved, and with the student's parent/guardian. (Education Code 48918(e))

## Readmission

An expulsion order shall remain in effect until the Board may order the readmission of the student.

Readmission procedures shall be as follows:

1. A written request for review of expulsion action and request for readmission shall be submitted by the parent/guardian to the Superintendent or designee.
2. The Superintendent or designee will hold a conference with the parent/guardian and the student.
3. At the conference the conditions for readmission will be reviewed. The Superintendent or designee shall verify that the rehabilitation plan has been met.
4. School regulations will be reviewed and the student and parent/guardian will be asked to indicate in writing their willingness to comply with these regulations.
5. The Superintendent or designee will transmit the request for readmission to the Board, along with his/her recommendation. The Board shall consider the request in closed session if the information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it will be honored.
6. The Superintendent or designee will notify the student or parent/guardian, by registered mail, of the district's decision regarding readmission.
7. 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)
8. 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. (Education Code 48916)
9. 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)

## Maintenance of Records

The Board will maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls, within five days of a written request by the admitting school. (Education Code 48900.8, 48918(k))

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district. (Education Code 48915.1)

cf. 5119 - Students Expelled from Other Districts)

(cf. 5125 - Student Records)

## Notifications and Reports

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering or sale of controlled substances, alcohol, or intoxicants of any kind.

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 also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

#### Outcome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion.
2. The specific grounds for each recommended expulsion.
3. Whether the student was subsequently expelled.
4. Whether the expulsion order was suspended.
5. The type of referral made after the expulsion.
6. The disposition of the student after the end of the expulsion period.

#### Suspension and Expulsion/Due Process

Redlands Unified  
Administrative Regulation  
AR 51441  
Adopted June 27, 1995  
Students

#### Definitions

Suspension from school 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. Removal from a particular class shall not occur more than once every five school days.

Expulsion means removal of a student from the immediate supervision and control, or the general supervision, of school personnel. (Education Code 48925)

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian or legal counsel. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

#### 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, suspension and expulsion. Transfer students and their parents/guardians shall be notified at the time of enrollment. (Education Code 35291.5, 48900.1, 48980)  
(cf. 5144 - Discipline)

Notification shall include information about the ongoing availability of individual school rules and all district policies and regulations pertaining to student discipline. (Education Code 35291)  
(cf. 5145.6 - Parental Notifications)

#### Grounds for Suspension and Expulsion

A student may be subject to suspension or expulsion when it is determined that he/she:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense. (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aide or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code 48900(s))

2. Possessed, sold, or otherwise furnished any firearm. Knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48900(b))  
(cf. 5131 - Conduct)  
(cf. 5131.7 - Weapons and Dangerous Instruments)

3. Unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of, any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind. (Education Code 48900(c))  
(cf. 5131.6 - Alcohol and Other Drugs)

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid, substance or material and represented same as controlled substance, alcohol beverage or intoxicant. (Education Code 48900(d))

5. Committed or attempted to commit robbery or extortion. (Education Code 48900(e))

6. Caused or attempted to cause damage to school property or private property. (Education Code 48900(f))

7. Stole or attempted to steal school property or private property. (Education Code 48900(g))

8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products (Education Code 48900(h))

9. Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))

10. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5. (Education Code 48900(j))

11. Disrupted school activities or otherwise willfully defied 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))

12. Knowingly received stolen school property or private property. (Education Code 48900(l))



13. Possessed an imitation firearm, i.e., 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))

14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code 243.4. (Education Code 48900(n))

15. 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))

16. Made terrorist threats against school officials and/or school property. (Education Code 48900.7)

Pursuant to Education Code 48900.7, the making of a terrorist threat includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person or property damage in excess of \$1,000.00, 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.

A student in grades 4 through 12 is also subject to suspension or recommendation for expulsion when it is determined that he/she:

17. Committed sexual harassment as defined in Education Code 212.5. (Education Code 48900.2)

Pursuant to Education Code 48900.2 the conduct constitutes harassment when considered from the perspective of a reasonable person of the same gender as the victim to be 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.

(cf. 5145.7 - Sexual Harassment)

18. 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)

(cf. 5145.9 - Hate-Motivated Behavior)

Education Code 233 defines "hate violence" as any act punishable under Penal Code 422.6, 442.7 or 422.75. Such acts include injuring or intimidating another person, interfering with the exercise of a person's civil rights, or damaging a person's property because of the person's race, color, religion, ancestry, national origin, disability, gender or sexual orientation.

19. Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading student rights by creating an intimidating or hostile educational environment. (Education Code 48900.4)

(cf. 5145.3 - Nondiscrimination/Harassment)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent or principal or within any other school district, including but not limited to the following circumstances: (Education Code 48900)

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.

The Superintendent or principal may use his/her discretion to provide alternative to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program. (Education Code 48900(r))

Alternatives to suspension or expulsion will be used with students who are truant, tardy, or otherwise absent from assigned school activities.

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Truancy)

#### Removal from Class by a Teacher/Parental Attendance

A teacher may suspend any student from his/her class for the remainder of the day and the following day for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

A teacher also may refer a student to the principal or designee for consideration of suspension from school. (Education Code 48910)

When removing a student from his/her class, the teacher shall immediately report this action to the principal and send the student to the principal for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been removed.

As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the removal. A counselor or psychologist should attend the conference if it is practicable, and a school administrator may attend if either the parent/guardian or teacher so requests.

A student removed from class shall not be returned to class during the period of removal without the approval of the teacher of the class and the principal. (Education Code 48910)

A student removed from class shall not be placed in another regular class during the period of removal. However, if a student is assigned to more than one class per day, he/she may be placed in any other regular classes except those held at the same time as the class from which the student was removed. (Education Code 48910)

The teacher of any class from which a student is removed may require the student to complete any assignments and tests missed during the removal. (Education Code 48913)

Pursuant to Board policy, a teacher may provide that the parent/guardian of a student whom the teacher has removed attend a portion of a school day in his/her child's classroom. When a teacher makes this request, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is requested pursuant to law. (Education Code 48900.1)

This notice shall also:

1. Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternate date.
2. Describe the legal protections afforded to the parent/guardian as an employee under Labor Code 230.7.
3. State that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student.
4. Ask the parent/guardian to meet with the principal after the visit and before leaving school, as required by Education Code 48900.1.

Suspension by Superintendent, Principal or Principal's Designee

The Superintendent, principal or principal's designee may suspend a student from a school for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

The Superintendent or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife, as defined in Education Code 48915(g), at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion".
5. Possession of an explosive as defined in 18 USC 921.

Suspension also may be imposed upon a first offense if the Superintendent, principal or designee determines the student violated items #1-5 listed in "Grounds for Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903, 48912)

The Superintendent or designee may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which a student may be suspended in any school year. (Education Code 48903)

Suspensions shall be initiated according to the following procedures:

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the principal, designee or the Superintendent 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 and the evidence against him/her; the student shall be given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911(b))

This conference may be omitted if the principal, designee or the Superintendent determines that an emergency situation exists. An "emergency situation" involves 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 a conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference will be held as soon as the student is physically able to return to school. (Education Code 48911(c))

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee.

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 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 also state the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may add that state law requires the parent/guardian to respond to such requests without delay.

4. Parent/Guardian Conference: Whenever a student is suspended, school officials may meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such conference. The student may not be denied readmission solely because the parent/guardian failed to attend. (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. (Education Code 48911(g))

Any extension of the original period of suspension shall be 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. Extension of the suspension may be made only if 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)

#### Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal or Principal's 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 if any of the acts listed in “Grounds for Suspension and Expulsion” occurred. 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 closed sessions if a public hearing would lead to disclosure of information violating a student’s right privacy under Education Code 49073-49079.

(cf. 9321 - Closed Session Purposes and Agendas)

The Board shall provide the student and his/her parent/guardian with written notice of the closed session by or certified mail. 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 Codes 35146, 48912)

#### On-Campus Suspension Program

Students for whom an expulsion action has not been initiated and who pose no imminent danger or threat to the school may be assigned to a separate, supervised suspension classroom for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

1. The supervised suspension classroom shall be staffed in accordance with law.
2. The student shall have access to appropriate counseling services.
3. The supervised suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.
4. Each student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom. The teacher 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 a supervised 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 shall be made in writing. (Education Code 48911.1)

#### Authority to Expel

A student may be expelled only by the Board. The Board shall expel, as required by law, any student found to have committed certain offenses listed below under “Mandatory Recommendation and Mandatory Expulsion.”

The Board also may order a student expelled for any of the acts listed under “Grounds for Suspension and Expulsion” upon recommendation by the principal, Superintendent, hearing officer or administrative panel, based on finding 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.

#### Mandatory Recommendation for Expulsion

Unless the principal, Superintendent or designee finds that expulsion is inappropriate due to particular circumstances, the principal, Superintendent or designee shall recommend a student’s expulsion for any of the following acts: (Education Code 48915 (a))

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife as defined in Education Code 48915(g), explosive or other dangerous object of no reasonable use to the student.
3. Unlawful possession of any controlled substance, as listed in the Health and Safety Code 11053-11058, except for the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee.

#### Mandatory Recommendation and Mandatory Expulsion

Note: The Attorney General has determined, in 80 Ops.Cal. Atty. Gen. 347 (1997), that a district may not adopt a zero tolerance policy mandating expulsion of a student for a first offense of possession of a controlled substance or alcohol.

The principal, Superintendent or designee shall recommend that the Board expel any student found at school or at a school activity to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife as defined in Education Code 48915(g) at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above.
5. Possessing an explosive as defined in 18 USC 921.

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

The initial recommendation for consideration of expulsion is that of the school principal or the Superintendent. Designees may not make this type of recommendation.

The recommendation for consideration of expulsion shall be submitted to the Director, Office of Student Services, who will review the material and recommend:

1. Reassignment to appropriate regular education program.
2. Refer student to Alternative Program; i.e., Community School, Independent Study, Continuation or Opportunity School, or other district programs.
3. Refer the matter to the Discipline Review Panel for further consideration.

When a case is referred to the discipline Review Panel, the panel shall question school personnel who have information on the incident and the behavior record of the student charged and weighs the evidence presented.

The panel shall, in the case of an expulsion consideration, weigh information presented to determine:

- a. Is the evidence sufficient to support consideration by the expulsion panel?
- b. Has the district, through the schools involved, considered or utilized alternatives to expulsion when possible?
- c. Have due process procedures been adhered to?

The recommendation shall be either to proceed with the expulsion or to utilize an existing practical alternative in lieu of expulsion.

If the district (school) has not adhered to due process requirements, the student shall be returned to school immediately.

If the Discipline Review Panel meets to consider a matter other than an expulsion, it shall provide its best judgment as to an effective alternative program or plan to action.

The recommendation of the Discipline Review Panel shall be forwarded to the Director, Office of Student Services, who shall then review the facts, concur, veto or modify the recommendation.

4. That an expulsion panel be convened.

At the time a recommendation for expulsion is submitted, a hearing shall be scheduled by the Superintendent or designee to determine whether the suspension shall be extended. If the decision is to extend the suspension, the period of time shall be until the Board has rendered a decision or until the expulsion process is otherwise terminated.

The extension of suspension shall be based upon determination by the Superintendent or designee that the presence of the student at the school or in an alternative school placement would cause a danger to persons or property or a threat of disrupting the instructional process. This extension shall be imposed only after the student and the parent/guardian have been given the opportunity to be present at a hearing conducted by the Superintendent or designee. At this time, the student and parent/guardian shall be given the opportunity to be heard and present any information that might bear upon the decision.

Materials which support the decision of the person recommending the expulsion shall be prepared and submitted to the Office of Student Services. The departments of Attendance, Guidance, Special Education and/or Health may be requested to assist in the preparation of this material.

#### Student's Right to Expulsion Hearing

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred. (Education Code 48918 (a))

The student is entitled to 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 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 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 no 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))

#### Waiver of Hearing (Default Proceedings)

If the parent/guardian agrees that their son/daughter behaved essentially in the manner stated in the principals letter recommending expulsion and that such behavior constitutes a violation of the California Education Code, Section 48900, 48900.2, 48900.3, 48900.4, 48900.7 and/or 48915 a suspendable/expellable offense, the parent/guardian may request to waive the Administrative Hearing Panel.

When the parent/guardian agrees to waive the Administrative Hearing Panel, they also waive all notification and timelines related to the expulsion hearing process, along with their rights to appeal the determination of the Board.

The signed affidavit and findings of fact will be submitted to the Board for their approval. The Board has the discretionary power to accept, reject, or modify all recommendations.

#### Rights of Complaining Witness

An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental or emotional needs of a student who is the complaining witness. (Education Code 48918.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to all the following: (Education Code 48918.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing.
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies.
3. Have a closed hearing during the time he/she testifies.

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48918.5)

## Written Notice of the Expulsion Hearing (Education Code 48918(b))

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least 10 calendar days before the date of the hearing. The notice shall include: (Education Code 48900.8, 48918 (b))

1. The date and place of the hearing.
2. A statement of the specific facts, charges and offense upon which the proposed expulsion is based.
3. A copy of district disciplinary rules which relate to the alleged violation.
4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment. This obligation applies when a student is expelled for acts other than those described in Education Code 48915 (a) or (c).  
(cf. 5119 - Students Expelled from other Districts)

5. The opportunity for the student or the student's parent/guardian to appear in person and/or be represented by legal counsel or by a non-attorney advisor.

Legal counsel means an attorney or lawyer who is admitted to the practice of law in California and is an active member of the State Bar of California.

Non-attorney advisor 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.

### Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and 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 request is made, the meeting shall be public, unless another student's privacy rights would be violated.

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to determine if the student should be expelled. If the Board admits any other person to the closed session, the parent/guardian, the student, and the counsel of the student, shall also be allowed to attend the closed session. (Education Code 48918(c))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to have his/her testimony heard in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including but not limited to videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

2. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate written and complete transcription of the proceedings can be made. (Education Code 48918(g))

3. Subpoenas: Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with the Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20, formerly 11525. (Education Code 48918(i))

Any objection raised by the student or the Superintendent or designee to the issuance of subpoenas may be considered by the Board in closed session, or in open session if so requested by the student, before the meeting. The Board's decision in response to such an objection shall be final and binding. (Education Code 48918(i))

If the Board determines, or if the hearing officer or administrative panel finds and submits to the Board, that a witness would be subject to unreasonable risk of harm by testifying at the hearing, a subpoena shall not be issued to compel the personal attendance of that witness at the hearing. However, that witness may be compelled to testify by means of a sworn declaration as described in item #4 below. (Education Code 48918(i))

4. Presentation of Evidence: While technical rules of evidence do not apply to expulsion hearings, 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 must be supported by substantial evidence that the student committed any of the acts listed in "Grounds for Suspension and Expulsion" above.

Findings of fact shall be based solely on the evidence at the hearing. While no evidence 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) and (h))

In cases where a search of a student's person or property has occurred, evidence describing the reasonableness of the search shall be included in the hearing record.

5. Testimony by Complaining Witnesses: The following procedures shall be observed when hearings involve allegations of sexual assault or sexual battery by a student: (Education Code 48918)

- a. Any complaining witness shall be given five days' notice before being called to testify.
- b. Any complaining witness shall be entitled to have up to two adult support persons, including but not limited to a parent/guardian or legal counsel, present during his/her testimony.
- c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- e. If one or both support persons are also witnesses, the hearing shall be conducted according to Penal Code 868.5.
- f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.
- g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.
  - (1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.
  - (2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.
  - (3) The person conducting the hearing may:
    - (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness.
    - (b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
    - (c) Permit one of the support persons to accompany the complaining witness to the witness stand.

6. Decision Within 10 Days: The Board's decision on whether to expel a student shall be made within 10 school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

7. Decision Within 40 Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative Expulsion Hearing: Hearing Officer or Administrative Panel



Instead of conducting an expulsion hearing itself, the Board may contract with the county hearing officer or with the Office of Administrative Hearings of the State of California for a hearing officer. Alternatively, the Board may 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(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified in "Conduct of Expulsion Hearing."

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 student shall be immediately reinstated. (See "Reinstatement.") The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers, and with the student's parent/guardian. (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 for a period of one year. (See "Decision Not to Enforce Expulsion Order" below.)

The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

#### The Discipline Review Panel

The Discipline Review Panel will consist of elementary educators when a review is being made of an elementary student and of secondary educators when a review is being made of secondary student.

1. The Discipline Review Panel shall hear the following types of disciplinary cases:
  - a. Requests for expulsion from site principals or the Superintendent.
  - b. School site administrative requests for assistance (non-expulsion situations).
2. Each discipline review panel shall consist of three certificated persons plus a chairperson and shall consist of elementary educators when a review is being made of an elementary student and of secondary educators when a review is being made of a secondary student. A panelist may not serve on any panel involving a student who is currently attending the school in which he/she is assigned. A representative from Student Services shall be a nonvoting member of each panel.

A chairperson and assistant chairperson, to serve when the chairperson is unable to serve, shall be appointed by the Superintendent or designee and shall serve at his/her pleasure. Neither shall be a member of the Student Services staff.

A pool of panelists shall be established which shall be composed of personnel who have served or are currently serving as members of administrative expulsion panels. The committee chairman shall select members to serve on individual panels.

The meetings of the discipline review panel are open to school district personnel only.

The duties of the Discipline Review Panel are as follows:

1. The chairperson shall call a meeting of the panel as soon as possible, but no later than 10 school days after the receipt of notice of a pending case.
2. A recommendation must be forwarded to the Director, Office of Student Services, within three days of the review hearing.
3. In the event a member of the committee cannot be present at a meeting, the Director, Office of Student Services, will appoint an alternate from the pool to attend.

#### Final Action by the Board

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel, the final action to expel shall be taken by the Board at a public meeting. (Education Code 48918(j))

(cf. 9321.1 - Closed Session Actions and Reports)

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

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 an act listed under “Mandatory Recommendation and Mandatory Expulsion” above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. (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 of the student at the time of review for readmission.
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service and other rehabilitative programs.

With parental 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 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 in Education Code 48900 (a)-(o), Education Code 48900.2-48900.4, Education Code 48915 (c) and (Education Code 48900.8).
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian. (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Governing Board. (Education Code 48918)
4. Notice of the alternative educational placements 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 Not to Enforce Expulsion Order**

In accordance with Board policy, when deciding whether to suspend the enforcement of an expulsion, the Board shall take into account the following criteria:

1. The student’s pattern of behavior.
2. The seriousness of the misconduct.
3. The student’s attitude toward the misconduct and his/her willingness to follow a rehabilitation program.

The suspension of the enforcement of an expulsion shall be governed by the following: (Education Code 48917)

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.
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status.
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” above or violates any of the district’s rules and regulations governing student conduct.
4. When the suspension of the enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order.
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings.
6. 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 County Board of Education.

7. 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 also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education. (Education Code 48918 (j))

#### Right to Appeal

The student or parent/guardian is entitled to file an appeal of the Board's decision to the County Board of Education. The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion action is suspended and the student is placed on probation. (Education Code 48919)

#### Post-Expulsion Placements

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 such a site.
3. Not housed at the school site attended by the student at the time of suspension.

(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for acts described in items #6 through #13 and #17 through #19 under "Grounds for Suspension and Expulsion" may be instead 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

Readmission procedures shall be as follows:

1. On the date set by the Board when it ordered the expulsion, the district shall consider readmission of the student. (Education Code 48916)
2. 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.
3. The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session if information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it shall be honored.
4. 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.
5. 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)
6. 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. (Education Code 48916)
7. 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)

#### Maintenance of Records

The Board shall maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls, within five days of a written request by the admitting school. (Education Code 48900.8, 48918(k))

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district. (Education Code 48915.1)

(cf. 5119 - Students Expelled from Other Districts)

(cf. 5125 - Student Records)

#### Notifications 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 also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering or sale of controlled substances, alcohol, or intoxicants of any kind. (Education Code 48902)

#### Ouome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion.
2. The grounds for each recommended expulsion.
3. Whether the student was subsequently expelled.
4. Whether the expulsion order was suspended.
5. The type of referral made after the expulsion.
6. The disposition of the student after the end of the expulsion period.

Regulation: REDLANDS UNIFIED SCHOOL DISTRICT

Approved: June 27, 1995, Redlands, California

#### **(D) Procedures to Notify Teachers of Dangerous Pupils (EC 49079)**

Teachers are notified of any student(s) on their rosters who have been suspended per Ed Code 49079. Teachers are also advised of the pupils who are currently on probation.

**(E) Sexual Harassment Policies (EC 212.6 [b])**

## Policy 4119.11: Sex Discrimination and Sex-Based Harassment

The Governing Board is committed to providing a safe work environment that is free of harassment and intimidation. The Board prohibits sexual harassment against district employees by anyone, in any manner, and prohibits retaliatory action or behavior against any persons who complains, testifies, or otherwise participates in the complaint process established pursuant to this policy and accompanying administrative regulation. This policy shall apply to all district employees, interns, volunteers, contractors, job applicants, and other persons with an employment relationship with the district.

(cf. 0410 - Nondiscrimination in District Programs and Activities) (cf. 4030 - Nondiscrimination in Employment)

Sexual harassment includes, but is not limited to, harassment that is based on the sex, gender, gender identity, gender expression, or sexual orientation of the victim and harassment based on pregnancy, childbirth, or related medical conditions.

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation, and correction of sexual harassment, including but not limited to:

1. Providing training to all staff in accordance with law and administrative regulation.
2. Publicizing and disseminating the district's sexual harassment policy to staff.
3. Ensuring prompt, thorough, equitable, and fair investigation of complaints
4. Taking timely and appropriate corrective/remedial actions which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments.

The Superintendent or designee shall periodically evaluate the effectiveness of the district's strategies to prevent and address harassment. Such evaluation may involve conducting regular anonymous employee surveys to assess whether harassment is occurring or is perceived to be tolerated, partnering with researchers or other agencies with the needed expertise to evaluate the district's prevention strategies, and using any other effective tool for receiving feedback on systems and/or processes. As necessary, changes shall be made to the harassment policy, complaint procedures, or training.

### Sexual Harassment Reports and Complaints

Any district employee who feels that he/she has been sexually harassed in the performance of their district responsibilities or who has knowledge of any incident of sexual harassment by or against another employee shall immediately report the incident to his/her supervisor, the principal, other district administrator, or the district's Title IX Coordinator. However, an employee may bypass his/her supervisor in filing a complaint if the supervisor is the subject of the complaint. A supervisor, principal, or district administrator who receives a harassment complaint shall promptly notify the Title IX Coordinator.

Once notified, the Title IX Coordinator shall ensure the complaint or allegation is addressed through AR 4119.12/4219.12/4319.12 – Title IX Sexual Harassment Complaint Procedures or AR 4030- Nondiscrimination in Employment, as applicable. Because a complaint or allegation that is dismissed or denied under the Title IX complaint procedure may still be subject to consideration under state law, the Title IX Coordinator shall ensure that any implementation of AR 4119.12/4219.12/4319.12 concurrently meets the requirements of AR 4030.

Notwithstanding the above, BP/AR 4119.12/4219.12/4319.12 and 4030 shall under no circumstances be used to resolve complaints brought by, on behalf of, or against students. All complaints brought by, on behalf of, or against students that allege “sexual harassment” as that term is defined in the federal regulations implementing Title IX of the Education Amendments of 1972 (see 34 C.F.R. § 106, et seq.) shall be investigated and resolved under BP/AR 5145.71. All complaints brought by, on behalf of, or against students that do not meet the definition of “sexual harassment” as set forth in the Title IX implementing regulations shall be investigated and resolved under BP/AR 1312.3.

(cf. 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaints)

The Title IX Coordinator shall offer supportive measures to the complainant and respondent, as deemed appropriate under the circumstances.

Upon investigation of a sexual harassment complaint, any district employee who engages, or participates in sexual harassment, or who aids, abets, incites, compels, or coerces another to commit sexual harassment in violation of this policy is subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Reports) (cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4218 -

Dismissal/Suspension/Disciplinary Action)

#### Regulation 4119.12: Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures

The complaint procedures described in this administrative regulation shall be used to address any complaint governed by Title IX of the Education Amendments of 1972 alleging that a district employee, while in an education program or activity in which a district school exercises substantial control over the context and respondent, was subjected to one or more of the following forms of sexual harassment: (34 CFR 106.30, 106.44)

1. A district employee conditioning the provision of a district aid, benefit, or service on a person's participation in unwelcome sexual conduct
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291 (cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

All other sexual harassment complaints or allegations shall be investigated and resolved in accordance with AR 4030

- Nondiscrimination in Employment. The determination of whether the allegations meet the definition of sexual harassment under Title IX shall be made by the district's Title IX Coordinator.

(cf. 4030 - Nondiscrimination in Employment)

Because the complainant has a right to pursue a complaint under AR 4030 for any allegation that is dismissed or denied under the Title IX complaint procedure, the Title IX Coordinator shall ensure that all requirements and timelines for AR 4030 are concurrently met while implementing the Title IX procedure.

#### Reporting Allegations/Filing a Formal Complaint

An employee who is the alleged victim of sexual harassment may submit a report of sexual harassment to the district's Title IX Coordinator using the contact information listed in AR 4119.11/4219.11/4319.11 - Sexual Harassment or to the employee's direct supervisor or other district administrator, who shall forward the report to the Title IX Coordinator within one day of receiving the report. Upon receiving such a report, the Title IX Coordinator shall inform the complainant of the right to file a formal complaint and the process for filing a formal complaint.

A formal complaint, with the complainant's physical or digital signature, may be filed with the Title IX Coordinator in person, by mail, by email, or by any other method authorized by the district. (34 CFR 106.30)

Even if the alleged victim chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations when a safety threat exists. In addition, the Title IX Coordinator may file a formal complaint in other situations as permitted under the Title IX regulations, including as part of the district's obligation to not be deliberately indifferent to known allegations of sexual harassment. In such cases, the Title IX Coordinator shall provide the alleged victim notices as required by the Title IX regulations at specific points in the complaint process.

The Title IX Coordinator, investigator, decision-maker, or a facilitator of an informal resolution process shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. Such persons shall receive training in accordance with 34 CFR 106.45. (34 CFR 106.45)

#### Supportive Measures

Upon receipt of a report of Title IX sexual harassment, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures and shall consider the complainant's wishes with respect to the supportive measures implemented. Supportive measures shall be offered as appropriate, as reasonably available, and without charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures shall be nondisciplinary, nonpunitive, and not unreasonably burden the other party, including measures designed to protect the safety of all parties or the district's educational environment or to deter sexual harassment. Supportive measures may include, but are not limited to, counseling, extensions of deadlines, modifications of work schedules, mutual restrictions on contact, changes in work locations, leaves of absence, increased security, and monitoring of certain areas of the campus. (34 CFR 106.30, 106.44)

The district shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the district's ability to provide the supportive measures. (34 CFR 106.30)

#### Emergency Removal

If a district employee is the respondent, the employee may be placed on administrative leave during the pendency of the formal complaint process. (34 CFR 106.44)

If the respondent is a student, the district may, on an emergency basis, remove the student from the district's education program or activity, provided that the district conducts an individualized safety and risk analysis, determines that removal is justified due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations, and provides the student with notice and an opportunity to challenge the decision immediately following the removal. This authority to remove a student does not modify a student's rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973. (34 CFR 106.44)

#### Dismissal of Complaint

The Title IX Coordinator shall dismiss a formal complaint if the alleged conduct would not constitute sexual harassment as defined in



34 CFR 106.30 even if proved. The Title IX Coordinator shall also dismiss any complaint in which the alleged conduct did not occur in the district's education program or activity or did not occur against a person in the United States, and may dismiss a formal complaint if the complainant notifies the district in writing that the complainant would like to withdraw the complaint or any allegations in the complaint, the respondent is no longer employed by the district, or sufficient circumstances prevent the district from gathering evidence sufficient to reach a determination with regard to the complaint. (34 CFR 106.45)

Upon dismissal, the Title IX Coordinator shall promptly send written notice of the dismissal and the reasons for the dismissal simultaneously to the parties and shall inform them of their right to appeal the dismissal of a formal complaint or any allegation in the complaint in accordance with the appeal procedures described in the section "Appeals" below. (34 CFR 106.45)

If a complaint is dismissed, the conduct may still be addressed pursuant to AR 4030 - Nondiscrimination in Employment as applicable.

#### Informal Resolution Process

When a formal complaint of sexual harassment is filed, the district may offer an informal resolution process, such as mediation, at any time prior to reaching a determination regarding responsibility. The district shall not require a party to participate in the informal resolution process or to waive the right to an investigation and adjudication of a formal complaint. (34 CFR 106.45)

The district may facilitate an informal resolution process provided that the district: (34 CFR 106.45)

1. Provides the parties with written notice disclosing the allegations, the requirements of the informal resolution process, the right to withdraw from the informal process and resume the formal complaint process, and any consequences resulting from participating in the informal resolution process, including that records will be maintained or could be shared.
2. Obtains the parties' voluntary, written consent to the informal resolution process

#### Written Notice

If a formal complaint is filed, the Title IX Coordinator shall provide the known parties with written notice of the following: (34 CFR 106.45)

1. The district's complaint process, including any informal resolution process
2. The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known. Such notice shall be provided with sufficient time for the parties to prepare a response before any initial interview. If, during the course of the investigation, new Title IX allegations arise about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.
3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process
4. The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an attorney, and the ability to inspect and review evidence
5. The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process

The above notice shall also include the name of the investigator, facilitator of an informal process, and decision-maker and shall inform the parties that, if at any time a party has concerns regarding conflict of interest or bias regarding any of these persons, the party should immediately notify the Title IX Coordinator.

#### Investigation Procedures

During the investigation process, the district's designated investigator shall: (34 CFR 106.45)

1. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and

exculpatory evidence

2. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence
3. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney
4. Not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding, although the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as the restrictions apply equally to both parties
5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate
6. Send in an electronic format or hard copy to both parties and their advisors, if any, the evidence obtained as part of the investigation that is directly related to the allegations raised in the complaint, and provide the parties at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report
7. Objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and determine credibility in a manner that is not based on a person's status as a complainant, respondent, or witness
8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review and written response

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. (34 CFR 106.45)

Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.

If the complaint is against an employee, rights conferred under an applicable collective bargaining agreement shall be applied to the extent they do not conflict with the Title IX requirements.

#### Written Decision

The Superintendent shall designate an employee as the decision-maker to determine responsibility for the alleged conduct, who shall not be the Title IX Coordinator or a person involved in the investigation of the matter. (34 CFR 106.45)

After the investigative report has been sent to the parties but before reaching a determination regarding responsibility, the decision-maker shall afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party.

The decision-maker shall issue, and simultaneously provide to both parties, a written decision as to whether the respondent is responsible for the alleged conduct. (34 CFR 106.45)

The written decision shall be issued within 60 calendar days of the receipt of the complaint.

The timeline may be temporarily extended for good cause with written notice to the complainant and respondent of the extension and the reasons for the action. (34 CFR 106.45)

In making this determination, the decision-maker shall use the "preponderance of the evidence" standard for all formal complaints of sexual harassment. (34 CFR 106.45)

The written decision shall include the following: (34 CFR 106.45)

1. Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR 106.30

2. A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the district includes hearings as part of the grievance process
3. Findings of fact supporting the determination
4. Conclusions regarding the application of the district's code of conduct or policies to the facts
5. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's educational program or activity will be provided by the district to the complainant
6. The district's procedures and permissible bases for the complainant and respondent to appeal

## Appeals

Either party may appeal the district's decision or dismissal of a formal complaint or any allegation in the complaint, if the party believes that a procedural irregularity affected the outcome, new evidence is available that could affect the outcome, or a conflict of interest or bias by the Title IX Coordinator, investigator(s), or decision-maker(s) affected the outcome. If an appeal is filed, the district shall: (34 CFR 106.45)

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties
2. Ensure that the decision-maker(s) for the appeal is trained in accordance with 34 CFR 106.45 and is not the same decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator
3. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome
4. Issue a written decision describing the result of the appeal and the rationale for the result
5. Provide the written decision simultaneously to both parties

An appeal must be filed in writing within 10 calendar days of receiving the notice of the decision or dismissal, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered.

A written decision shall be provided to the parties within 20 calendar days from the receipt of the appeal.

Either party has the right to file a complaint with the U.S. Department of Education's Office for Civil Rights within 180 days of the date of the most recently alleged misconduct.

The complainant shall be advised of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal antidiscrimination laws, if applicable.

## Remedies

When a determination of responsibility for sexual harassment has been made against the respondent, the district shall provide remedies to the complainant. Such remedies may include the same individualized services described above in the section "Supportive Measures," but need not be nondisciplinary or nonpunitive and need not avoid burdening the respondent. (34 CFR 106.45)

## Disciplinary Actions

The district shall not impose any disciplinary sanctions or other actions against a respondent, other than supportive measures as described above in the section "Supportive Measures," until the complaint procedure has been completed and a determination of responsibility has been made. (34 CFR 106.44)

When an employee is found to have committed sexual harassment or retaliation, the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Report)

(cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4119.11/4219.11/4319.11 - Sexual Harassment) (cf. 4218 - Dismissal/Suspension/Disciplinary Action)

## Record-Keeping

The Superintendent or designee shall maintain, for a period of seven years: (34 CFR 106.45)

1. A record of all reported cases and Title IX investigations of sexual harassment, any determinations of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary sanctions imposed, any remedies provided to the complainant, and any appeal or informal resolution and the results therefrom.
2. A record of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment, including the district's basis for its conclusion that its response was not deliberately indifferent, the measures taken that were designed to restore or preserve equal access to the education program or activity, and, if no supportive measures were provided to the complainant, the reasons that such a response was not unreasonable in light of the known circumstances.
3. All materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process. The district shall make such training materials publicly available on its web site, or if the district does not maintain a web site, available upon request by members of the public.

(cf. 1113 - District and School Web Sites) (cf. 3580 - District Records)

#### **(F) School-wide Dress Code Relating to Gang-Related Apparel (EC 35183)**

Policy 5132.16: Student Dress Guidelines

The Governing Board believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Students' clothing must not present a health or safety hazard or a distraction which would interfere with the educational process.

Students and parents/guardians shall be informed about dress and grooming standards at the beginning of the school year and whenever these standards are revised. A student who violates these standards shall be subject to appropriate 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 dress code may be included as part of the school safety plan and must be presented to the Board for approval. The Board shall approve the plan upon determining that it is necessary to protect the health and safety of the school's students.

##### **Uniforms**

The Board recognizes that, in order to promote student safety and discourage peer rivalry and/or gang activity, the principal, staff and parent/guardian at a school site may wish to establish a reasonable dress code, which may include voluntary school uniforms.

Dress codes, which include voluntary school uniforms, may be included as part of the school safety plan submitted as required.

The Superintendent or designee shall establish procedures that schools, parents and guardians will follow if they decide to participate with the voluntary school uniform policy. Students shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardian decide not to participate.

The Governing Board feels that there is nothing inherently wrong with dress or color of dress, but when student's dress serves to intimidate or impede the rights of other students it will be determined that dress is in violation of this policy. A student may not remain at school dressed in a manner which (1) creates a safety hazard for said student or for other students at school, and/or (2) when the dress constitutes a serious and unnecessary distraction to the learning process or tends to disrupt campus order

When the site administrator/designee determines that a student's attire is in violation of this policy, the student will be required to modify his/her clothing and/or apparel in such a manner that it no longer violates this policy. If necessary, the student may be taken or sent home with parental permission to modify unacceptable dress and return to school. Refusal to take steps as described in this policy shall be cause for disciplinary action against the student. Any such disciplinary action shall be handled pursuant to existing student disciplinary policy

Parents/guardians have primary responsibility to see that students are properly attired for school. School district personnel have the responsibility for maintaining proper and appropriate conditions conducive to learning. Hence, the following guidelines will be implemented in all district schools.

1. Shoes will be worn at all times. A substantial sole is required and enclosed toe and heel footwear are highly encouraged.
2. Extremely brief garments that are distracting to the educational environment are not appropriate. Clothing shall be sufficient to conceal undergarments at all times.
3. Clothing or accessories shall be free of writing, pictures or any other insignia which are crude, violent, obscene or sexually suggestive or which advocate racial, ethnic or religious prejudice or the use of tobacco, drugs or alcohol.
4. Earrings, jewelry, or accessories which present a safety hazard to the wearer or others are not suitable for school wear.
5. Only prescription sunglasses may be worn in class. Other types of sunglasses may be worn on campus outside of class.
6. Identified gang attire such as bandannas, haircuts or hair rollers, or any gang paraphernalia are prohibited.

Students are allowed to wear sun protective clothing, including hats, while outdoors during the school day. Each school site will develop a policy indicating the type of sun protective hats that are permitted.

No grade of a student participating in a physical education class shall be adversely affected if the student does not wear standardized physical education apparel because of circumstances beyond the student's control. (Education Code 49066) All clothing worn during physical education shall meet reasonable safety standards.

The purpose of adopting these Student Dress Guidelines is not to infringe on any individual student's rights to freedom of expression, but rather to encourage students to dress appropriately and come to school properly prepared for participating in the educational process.

#### Gang-Related Apparel

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed as needed and updated as necessary.

#### Uniforms

In schools where a majority of parents respond and indicate on a survey that they desire to establish a voluntary school-wide uniform dress code, the principal, staff and the parents/guardians of the individual school site shall:

1. Jointly select the specific uniform to be worn. (Education Code 35183)
2. Describe the uniform parts and identify local vendors who sell those pieces of clothing. A description of the implementation of the voluntary uniform dress code will be submitted to the superintendent's designee including:
  - a. The process for parent notification
  - b. Positive procedures that will be used to encourage students to participate with the voluntary uniform dress code
3. A description of the uniform and a list of costs for each competitively priced item of clothing as provided by a variety of vendors will be sent to parents.
4. Parents will be notified that this is a voluntary uniform dress code and that students not participating shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardians so decide.

#### Parent Notification

The principal shall give parents/guardian at least six months notice before a school site implements a voluntary school uniform dress code. (Education Code 35183)

**(G) Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School (EC 35294.2)**

Single point of entry to campus is established and enforced. The Raptor system is utilized to check any visitor on to campus.

**(H) A Safe and Orderly School Environment Conducive to Learning (EC 35294.2)**

**Component:**

Physical Environment

**The Schools' Location and Physical Environment**

Redlands East Valley High School is located in the San Bernardino County Sheriff area of San Bernardino County that has an average crime rate and 11.2 poverty level. The immediate area round the school includes Mentone, Redlands, and Yucaipa. Present safety hazards include none at this time..

**Description of School Grounds**

The school site encompasses 58.3 acres. The grounds are grass, concrete, and asphalt and includes basketball and volleyball courts, baseball diamonds, a turf football field, and a lined track. There are several wings and/or clusters of classrooms including 86 classrooms 58 re-locatable classrooms. Other ancillary structures include the gym, custodial area, Wildcat café, theater, auto shop, and Angel's Closet in the T-wing. RUSD's e-Academy, an alternative learning environment available to all RUSD students, is housed in the S-wing and 22 J-wing classrooms.

During the school day, staff members and administrators shall provide campus supervision. Identified problem areas receive increased supervision to reduce discipline, crime, or other school safety concerns.

It shall be the practice of Redlands East Valley High School to remove all graffiti from school property before pupils arrive to begin their school day. Other acts of vandalism are promptly addressed.

**Maintenance of School Buildings/Classrooms**

The school's physical facility is well maintained and generally looks neat and clean. The school was most recently painted in 2022 and renovated during the 2018 year. District personnel periodically examine the school's physical facility and help eliminate obstacles to school safety. Additionally, health and fire department inspectors contribute to school safety.

Site personnel continue to maintain facilities and the cleanliness of the campus.

**Internal Security Procedures**

Redlands East Valley High School is a closed campus with a single point of entry for all pupils and visitors.

To ensure the safety of pupils and staff, all visitors to the campus, except pupils of the school and staff members, shall register using Raptor immediately upon entering any school building or grounds when school is in session. District employees, not assigned to Redlands East Valley High School shall wear appropriate identification badges while on campus conducting business.

Redlands East Valley High School has established procedures in the following areas: California Safe School Assessment (CSSA) reporting procedures, suspension and expulsion procedures, inventory system, and all necessary areas to ensure student safety and provide a safe school environment..

Redlands East Valley High School maintains a copy of the district's sexual harassment policy in the main office/principal's office and the policy is available on request. The District's Sexual Harassment Policy contains dissemination plans, applicable definitions, reporting requirements, investigation procedures, enforcement regulations, and information related to suspension and/or expulsion for sexual harassment of or by pupils. Additionally, a notice summarizing this sexual harassment policy appears in the Parent & Student Handbook, The parent student handbook is distributed at the beginning of each school year to all parents and pupils.

Discipline procedures shall focus on finding the cause of problems and working with all concerned to reach the proper, lawful solutions. The school's discipline plan begins at the classroom level. Teachers shall use a visible classroom management plan to communicate classroom rules, promote positive pupil conduct, and reduce unacceptable conduct. Appropriate consequences are administered based on the seriousness of the pupil's misbehavior.

Pupil conduct standards and consequences for Redlands East Valley High School are specifically described in this Comprehensive Schools Safety Plan including: (a) the adopted school discipline rules and procedures, (b) District Disciplinary Guidelines, and (c) the adopted school-wide dress code.

Pupils may be suspended, transferred to another school, or recommended for expulsion or for certain violations of ed code. For specific student violations, a mandatory expulsion recommendation shall be submitted by the administration of Redlands East Valley High School.

Site administrators contribute to a positive school climate, promote positive pupil behavior, and help reduce inappropriate conduct. The principal/designee uses available district and other appropriate records to inform teachers of each pupil identified under E.C. 49079.

Law enforcement is contacted and consulted to help maintain and to promote a safe and orderly school environment. Redlands East Valley High School employees comply with all legal mandates, regulations, and reporting requirements for all instances of suspected child abuse.

If appropriate, additional internal security procedures affecting the integrity of the school facility include: Redlands East Valley employs 1 School Resource Officer provided by the Sheriff Department, 6 full time security officers and 3 part time campus monitors: These officers are charged with keeping the campus decorum at the highest level. The officers also are an effective step in mediation and being pro-active with students to reduce behavioral issues on campus.

Community involvement is encouraged to help increase school safety.

All parents and community members are encouraged to contact Redlands East Valley administration and security with any issues they have. We also encourage community members, parents and students to use Sprigeo, the We Tip program and the See Something, Say Something. There are signs posted around school at various entry points informing individuals of the phone number (800-782-7463) and how to use the system.

Inventory System - Engraved ID, Security Storage

Most school-site equipment has a metal ID tag or a bar code sticker adhered to its surface. These items are inventoried annually and there is an established accountability system. Office and classroom supplies are secured.

#### **Element:**

Goal 1:

Maintain a safe and orderly campus with one single point of entry and proper exit procedures during instructional time.

#### **Opportunity for Improvement:**

I. Areas of Pride and Desired Improvements

a. Pride

1. Students enter campus through front gates before school. Classroom doors remain closed and locked throughout the day.
2. Raptor station at front desk to ensure all visitors on campus are accounted for.
3. Consistent use of Progress Adviser for safety checks on campus throughout the day.

b. Areas of Desired Improvement

1. Ensure all students utilize the proper exit procedures during instructional time.
2. Enforce hall pass policy to ensure safety and accountability of students throughout the day.
3. Increase knowledge of safe reporting procedures for students and families.

| Objectives                                                        | Action Steps                                                                                                                                                                                                                                                                                                                                                                        | Resources                                                                                                                                                                                               | Lead Person                                                                                                                                                                                                                                                   | Evaluation                                                                                                                                                                                                                                                                    |
|-------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| II. Desired Change #1<br>Enforce Hall Pass Policy                 | a. Related Strategies and Activities<br>1. All staff to utilize 5-Star to issue hall passes to students<br>2. All TA's, ASB students, Yearbook students to use lanyard passes when on assigned errands<br>3. Teachers to remain with their classes at all times during activities outside the classroom<br>4. Security to routinely sweep campus checking for hall passes           | b. Resources Required<br>1. Training of staff on the use of 5-Star<br>2. General funds to support safety needs<br><br>e. Budget<br>1. General Funds                                                     | c. Personnel Assignments<br>1. Security and Administration working proactively with students, being visible at all times, being accessible to students, dealing with discipline appropriately and consistently.<br>2. Staff following policies and procedures | f. Evaluation criteria<br>1. Surveys through Kelvin<br>2. Attendance data<br>3. 5-Star data<br><br>d. Timeframe for completion<br>1. Goal is to be worked on continuously throughout the year<br>2. Goal is to be worked on continuously throughout the year                  |
| III. Desired Change #2<br>Secure lunch time out of boundary areas | a. Related Strategies and Activities<br>1. Assign zones to security officers during lunch<br>2. Administration and staff present during lunch<br>3. Administration Roadshow to inform all students of school expectations, including hall pass policy and proper exit procedures<br>4. Assigning appropriate consequence to students who do not exit properly or leave during lunch | b. Resources Required<br>1. Training of staff on policies and procedures<br>2. Equipment allocation for security staff<br>3. General funds to support safety needs<br><br>e. Budget<br>1. General Funds | c. Personnel Assignments<br>1. Security and Administration working proactively with students, being visible at all times, being accessible to students, dealing with discipline accurately and consistently.<br>2. Staff following policies and procedures    | f. Evaluation criteria<br>1. Surveys through Kelvin<br>2. Suspension, pre-expulsion and expulsion statistics<br><br>d. Timeframe for completion<br>1. Goal is to be worked on continuously throughout the year<br>2. Goal is to be worked on continuously throughout the year |



| Objectives                                                                                         | Action Steps                                                                                                                                                                        | Resources                                                                                                                                                                                                         | Lead Person                                                                                                                                                                                                                                                                                                                                            | Evaluation                                                                                                                                                                                                                                                                                                |
|----------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| IV. Desired Change #3<br>Increase knowledge of safe reporting procedures for students and families | a. Related Strategies and Activities<br>1. Ensure all classrooms have reporting procedures posted<br>2. Administration Roadshow to inform all students of safe reporting procedures | b. Resources Required<br>1. Training of staff on safe reporting procedures<br>2. District posters with safe reporting procedures<br>3. General funds to support safety needs<br><br>e. Budget<br>1. General Funds | c. Personnel Assignments<br>1. Security and Administration working proactively with students, being visible at all times, being accessible to students, dealing with discipline accurately and consistently.<br>2. Staff following policies and procedures<br>3. Administration communicating effectively with parents about safe reporting procedures | f. Evaluation criteria<br>1. Surveys through Kelvin<br>2. Suspension, pre-expulsion and expulsion statistics<br>3. Progress Adviser data<br><br>d. Timeframe for completion<br>1. Goal is to be worked on continuously throughout the year<br>2. Goal is to be worked on continuously throughout the year |

#### **Component:**

School Climate

#### The School's Social Environment

Leadership at Redlands East Valley High School is a shared process. A proactive role is assumed in all phases of the school operation. The current management team is committed to developing Redlands East Valley High School toward excellence in the areas of academic and social behavior.

The principal sets a positive tone for the school, guides the staff and works closely with them on curriculum and school safety issues. The school site's organizational structure is open and flexible contributing to sensitivity concerning school safety issues and promoting a safe, orderly school environment conducive to learning.

#### Disaster Procedures, Routine and Emergency

A contingency plan for emergencies is contained in a handbook available to each staff member. The District's Emergency Response Plan - (ERP Plan) is listed at the last section of this plan. The plan is reviewed at the beginning of each school year. This plan also contains available district and outside agency resources, emergency disaster procedures and information on Standardized Emergency Management System (SEMS).

#### Classroom Organization and Structure

Redlands East Valley High School teachers provide a varied learning environment in their classrooms. Teachers use a variety of teaching strategies including: direct instruction, small group instruction, individual instruction, differentiated instruction, AVID strategies like socratic seminars, google classroom, and before/after school tutoring.

The teachers at Redlands East Valley High School are highly qualified, with many teachers holding advanced degrees. The staff is united in their desire to provide quality education for all pupils. Classrooms and teachers provide safe, orderly learning environment, enhance the experience of learning, and promote positive interactions amongst pupil and staff. Instructional time is maximized and disruptions are minimized.

#### The School's Cultural Environment

There is a high level of cohesiveness among the staff members at Redlands East Valley High School. Cooperation and support between teachers and the administration is evident. Efforts are made by the administration and staff to show concern for all pupils.

All pupils are expected to behave in a manner that promotes safety and order. Pupils are encouraged to bring problems to the principal, assistant principal, counselor, teacher or other staff members. Students are also made aware of safe reporting procedures and anonymous reporting procedures. The everyday goal is for the staff to be proactive rather than reactive in all situations of concern.

The academic and behavior efforts of pupils are recognized and rewarded.

Cultural diversity is celebrated throughout the year. Bulletin announcements read to entire student body, multi-cultural events provided by our ASB and Theatre arts students, and portions of the pep rallies are being dedicated to multi cultural clubs and clubs that are sponsored on campus..

**Element:**

**Goal 2:**

To foster a stronger school cultural environment to support students socially and emotionally.

**Opportunity for Improvement:**

**I. Areas of Pride and Desired Improvements**

**a. Pride**

1. Students having full access to all administrators and staff for any reason
2. Promote the REVWAY culture and what it means to students and staff
3. Students have access to the Wildcat Sanctuary (wellness center) located on campus

**b. Areas of Desired Improvement**

1. Increase participation in school activities through the School Plus 2 Initiative
2. Strengthen teachings of the REVWAY

| Objectives                                                                                                                                                          | Action Steps                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Resources                                                                                                                                                                                                                                                                                                                                                       | Lead Person                                                                                                                                                                                                                                                                                                                                                     | Evaluation                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>II. Desired Change #1</p> <p>To articulate safety measures and procedures to maintain a safe and secure campus and increase involvement in school activities</p> | <p>a. Related Strategies and Activities</p> <ol style="list-style-type: none"> <li>1. REVWAY lesson first week of school to teach expectations of behavior on campus</li> <li>2. School Plus 2 Initiative to encourage students to get involved in school activities</li> <li>3. Use of 5-Star to incentivize the REVWAY and encourage student participation/nonparticipation in school activities</li> <li>4. Merge Student of the Month with recognition of demonstrating tenants of the REVWAY</li> </ol> | <p>b. Resources Required</p> <ol style="list-style-type: none"> <li>1. Training of staff</li> <li>2. GENL has allocated funds to support safety needs</li> <li>3. LCAP funds to provide prizes for 5-Star point redemption in the student store</li> </ol> <p>e. Budget</p> <ol style="list-style-type: none"> <li>1. General Funds</li> <li>2. LCAP</li> </ol> | <p>c. Personnel Assignments</p> <ol style="list-style-type: none"> <li>1. Security and Administration working proactively with students, being visible at all times, being accessible to students, dealing with discipline accurately and consistently.</li> <li>2. Parent education on current issues faced by the school or educational community.</li> </ol> | <p>f. Evaluation criteria</p> <ol style="list-style-type: none"> <li>1. Kelvin Surveys</li> <li>2. 5-Star data</li> <li>3. Attendance data</li> <li>4. Suspension, pre-expulsion and expulsion statistics</li> </ol> <p>d. Timeframe for completion</p> <ol style="list-style-type: none"> <li>1. Goal is to be worked on continuously throughout the year</li> <li>2. Goal is to be worked on continuously throughout the year</li> </ol> |
| <p>III. Desired Change #2</p> <p>Provide social and emotional support to all students and create a culture of acceptance</p>                                        | <p>a. Related Strategies and Activities</p> <ol style="list-style-type: none"> <li>1. Continue to provide students with access to the Wildcat Sanctuary</li> <li>2. SEB meetings to discuss trends on campus and appropriate prevention strategies and interventions to students</li> <li>3. Extend the Wildcat Sanctuary to provide a virtual wellspace for students to access anywhere online</li> </ol>                                                                                                   | <p>b. Resources Required</p> <ol style="list-style-type: none"> <li>1. Training of staff</li> </ol> <p>e. Budget</p> <ol style="list-style-type: none"> <li>1. General</li> <li>2. LCAP</li> </ol>                                                                                                                                                              | <p>c. Personnel Assignments</p> <ol style="list-style-type: none"> <li>1. Assigned Assistant Principal working with SEB team</li> </ol>                                                                                                                                                                                                                         | <p>f. Evaluation criteria</p> <ol style="list-style-type: none"> <li>1. Kelvin Surveys</li> <li>2. Wildcat Sanctuary data</li> <li>2. Suspension, pre-expulsion and expulsion statistics</li> </ol> <p>d. Timeframe for completion</p> <ol style="list-style-type: none"> <li>1. Goal is to be worked on continuously throughout the year</li> <li>2. Goal is to be worked on continuously throughout the year</li> </ol>                  |

### (I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5)

#### Redlands East Valley High School Student Conduct Code

Procedures to Ensure a Safe and Orderly Environment

#### Rules and Procedures on School Discipline

##### Philosophy of Discipline

- Behavior expectations and the consequences for not meeting expectations must be clearly communicated to all students and their parents (in writing as well as verbally).
- The severity of consequences for violating behavior expectations increases with each incident of inappropriate behavior.
- The consequences for violating behavior expectations should be severe enough to discourage students from making poor behavior decisions.

- Expectations and consequences should permit students an opportunity to eliminate inappropriate behavior.

Additionally, the school staff recognizes that the middle school years are a transition time from adolescence to young adulthood. As a part of this transition, the student is given greater opportunities to be responsible and demonstrate independence and good judgment. The structure of our behavior expectations (in the classroom as well as school wide) is meant to encourage students to be responsible. The first step in many instances of inappropriate behavior (those considered to be "minor") is a simple warning ("Your behavior is unacceptable. Please stop such behavior"). It is only when a student ignores such warnings and continues to choose to act irresponsibly (like a child rather than an emerging adult) that we involve parents and implement consequences.

#### Elements of a Good Discipline Program

1. The program is focused upon making the entire campus, especially the classroom, a safe, supportive and orderly environment for learning for students and staff.
2. Classroom authority is retained by the classroom teacher. (Administration's role is to support, not to replace.)
3. Rules and procedures are clearly understood by staff and students.
4. All staff members will acknowledge and take appropriate action on any minor or major infraction of the school rules.
5. Rules and procedures comply with State Law and District policies.
6. The program recognizes the responsibilities and the rights of students and staff.
7. Program is structured to keep students in class and engaged in the educational process.
8. Rules are enforced:
  - A. by all staff members at all times.
  - B. strictly, but not rigidly (beware of "automatics").
  - C. in substantial part by adult modeling.
  - D. using techniques that promote the growth of positive self-esteem.
  - E. as close to the source as is possible.
  - F. by keeping parents informed.
9. The discipline program is understood, endorsed, and supported by staff, parents, and students.

#### PRINCIPAL'S STATEMENT TO EDMS STAFF

##### Expectations in Developing & Maintaining Discipline

As Principal of our school, I will expect;

Each teacher to have a defined system of classroom management. A written description of this system, including representative examples of the progressive interventions you intend to employ, will be approved and filed by me. Whenever possible and appropriate, teachers are encouraged to use standards and systems that are consistent with other village/departments members.

You can expect

Each administrator to assist and support you in every reasonable way in developing, implementing, and refining that system as needed.

I will expect

That when you refer a student for discipline:

1. The student has been made fully aware of classroom and school rules and knows what rules he/she has violated.
2. Teachers will discuss any continuing behavior problems and schedule a team conference with the student and parents when appropriate.
3. That information will be provided on the referral regarding previous actions you have taken regarding this specific issue.
4. You have exhausted the interventions at your disposal (i.e., you have done everything you can do) and you have followed the guidelines established by the administration and staff on what constitutes an appropriate behavior referral.
5. The behavior was so serious or so blatant as to make immediate removal from the classroom necessary.
6. The written referral will be explicit in stating the offense(s).
7. You will send the student out of class with a referral only if his/her continued presence in the class would disrupt or prevent teaching and/or learning.
8. If necessary, the referral will be delivered to the office at a time convenient to the staff member so that the issue may be handled most efficiently, causing a minimum of lost class time.

You can expect

1. Each administrator to support your position in every reasonable way.
2. A response time on your referral of one, or at most, two days.

3. The availability of an administrator to discuss unresolved referrals after school on any given day.
4. That the administrator will exercise independent judgment regarding disposition of referrals.

I will expect

1. That each teacher will go to the doorway of his/her classroom after each class period as often as possible and assume control of student behavior in the corridor.
2. That each staff member will hold students accountable for their behavior on the school grounds at all times.

You can expect

1. Administrator support, investigation, and follow-through as indicated.
2. A response to referrals from incidents outside the classroom to be the same as to those within.

Shana Kamper  
Principal

#### WHAT TO DO WHEN PROBLEMS APPEAR

Both behavioral and academic problems are present in some of our students. Teachers often ask for guidelines for dealing with these problems. Here they are:

1. Talk to the administrator assigned to your grade level.
2. Call parents at first sign of concern. Inform the parents of your observations, ask for their ideas, assistance, and support in serving the student. Keep a log of your calls.
3. If possible, talk privately to the student about your concerns.
4. Behavior concerns—look through students' CUM file. Any official suspensions will be in file, also look for teacher comments on report cards. Look for patterns of behavior. We use In-House Suspension whenever possible, as it is preferable to having students at home unattended—and it saves the district money. Serious infractions (fighting, threats, etc.) do result in official suspension. Unresponsive students can be moved to other schools or expelled.
5. Referrals—please remember if you write a student referral, you are required to call the parents. You are writing the referral and can answer the parents' questions firsthand. Administrators will also call parents, but we can only give secondhand information on the incident.
6. Academic Concerns—again, look through student CUM. This will contain test scores, report cards, and a student history. You may want to ask the grade level administrator to schedule a Student Study Team (SST). This will involve a meeting with the student, parents, administrators, students' teachers, and perhaps the psychologist

#### Conduct Code Procedures

Conduct code procedures are reviewed annually with staff.

#### (K) Hate Crime Reporting Procedures and Policies

##### Hate Crime Reporting

##### Policy 5145.3: Nondiscrimination/Harassment

The Governing Board desires to provide a safe school environment that allows all students equal access to and opportunities in the district's academic, extracurricular, and other educational support programs, services, and activities. The Board prohibits, at any district school or school activity, unlawful discrimination, including discriminatory harassment, intimidation, and bullying targeted at any student, by anyone, based on the student's actual or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital or parental status, pregnancy, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression or genetic information; or association with a person or group with one or more of these actual or perceived characteristics.

(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 constituting unlawful discrimination or harassment 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 one of the categories listed above. Unlawful discrimination also occurs when prohibited conduct is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects a student's educational opportunities.

Unlawful discrimination also includes disparate treatment of students based on one of the categories above with respect to the provision of opportunities to participate in school programs or activities or the provision or receipt of educational benefits or services.

The Board also prohibits any form of retaliation against any individual who reports or participates in the reporting of unlawful discrimination, files or participates in the filing of a complaint, or investigates or participates in the investigation of a complaint or report alleging unlawful discrimination. Retaliation complaints shall be investigated and resolved in the same manner as a discrimination complaint.

The Superintendent or designee shall facilitate students' access to the educational program by publicizing the district's nondiscrimination policy and related complaint procedures to students, parents/guardians, and employees. In addition, the Superintendent or designee shall post the district's policies prohibiting discrimination, harassment, intimidation, and bullying and other required information on the district's web site in a manner that is easily accessible to parents/guardians and students, in accordance with law and the accompanying administrative regulation.

The Superintendent or designee shall provide training and/or information on the scope and use of the policy and complaint procedures and take other measures designed to increase the school community's understanding of the requirements of law related to discrimination. The Superintendent or designee shall regularly review the implementation of the district's nondiscrimination policies and practices and, as necessary, shall take action to remove any identified barrier to student access to or participation in the district's educational program. The Superintendent or designee shall report the findings and recommendations to the Board after each review.

(cf. 1312.3 - Uniform Complaint Procedures)  
(cf. 1330 - Use of Facilities)  
(cf. 4131/4231/4331 - Staff Development)  
(cf. 6145 - Extracurricular and Cocurricular Activities)  
(cf. 6145.2 - Athletic Competition)  
(cf. 6164.2 - Guidance/Counseling Services)

Regardless of whether a complainant complies with the writing, timeline, and/or other formal filing requirements, all complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, shall be investigated and prompt action taken to stop the discrimination, prevent recurrence, and address any continuing effect on students.

Students who engage in unlawful discrimination, including discriminatory harassment, intimidation, bullying, or retaliation, 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. School personnel shall take immediate steps to intervene, when safe to do so, whenever site personnel witness an act of discrimination, harassment, intimidation, or bullying. Any employee who permits or engages in prohibited discrimination, including discriminatory harassment, intimidation, bullying, or retaliation, shall be subject to disciplinary action, up to and including dismissal.

(cf. 4118 - 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)

Policy REDLANDS UNIFIED SCHOOL DISTRICT  
adopted: June 27, 1995 Redlands, California  
revised: May 27, 2014  
revised: September 13, 2017  
revised: December 11, 2019  
revised: January 12, 2022

#### **(J) Procedures to Prepare for Active Shooters**

##### Active Shooter

Redlands East Valley High School utilizes a Safe & Secure Mode is a security procedure used to reduce student and staff movement outside school buildings. This may be due to a medical emergency, area disturbance, active shooter etc. It is designed to allow for school to carry forward but have the ability to move to Lockdown quickly if needed. During the Safe & Secure mode, there is heightened vigilance on campus by all school staff. Generally, recesses and outdoor activities are reduced. Parents/guardians can have access to their student(s) and may check them out of school if they see fit to do so.

- o Teachers should continue teaching as normal
- o Allow students restroom use with clear administrator/ teacher direction
- o Increased available staff presence during passing periods and student dismissal
- o Lunch/activities in more secure area, unless site admin decides otherwise
- o Standard inclement weather schedule/routine in place, unless site administrator/designee decides otherwise
- o Perimeter gates, where applicable, will be locked and monitored by available staff, allowing for central access points
- o PE classes will be moved off all fields into more secure locations (e.g., gym, class, & Cafe)

Lock Down is called when a law enforcement event is happening in the vicinity of a school. The law enforcement agency generally, but not always, contacts the school/district to encourage the school site to Lock Down as a precautionary measure. All Administrators are expected to place their school in Lock Down in this scenario.

- o Take a look outside your classroom and gather up any stray students in the hallways
- o Ensure that your door is locked
- o If windows are open, close them
- o Project a calm demeanor to help students remain calm. Reassure students that they are safe
- o Do not allow anyone to leave the classroom
- o Frequently check your emails for possible updates from your site administrators
- o If students are out on the playground or athletic fields, quickly move them to a secure classroom, locker room, or multi-purpose room



Critical Alert is called when a significant, threatening event is happening on campus or adjacent to campus that creates a potential danger to students and staff. While this may be communicated to the school by law enforcement, it may also be determined by school officials on the scene. Critical Alert assumes that everyone is prepared for a potential significant threat/event on campus.

- o Implement all items from Lock Down list above
- o Turn off or reduce lighting, so it will appear that the room is vacant
- o Keep all students sitting on the floor, away from the door or windows
- o Do not look out the windows
- o Cover window on the door (if one exists)
- o Advise the students that there is a serious situation, but you don't know what it is. Project a calm demeanor to help students remain calm. Reassure students that they are safe
- o Ensure that everyone in the room turns the ringer off on their cell phones
- o Do not allow students to talk on their cell phones (keep room as quiet as possible)
- o Do not call the office. They are in the midst of a problem and will not be able to answer all the calls which may tie up the phone system
- o Quietly take roll and make a list of missing students and any extra students that are in your room. Email this list to your administrators and school site secretaries
- o Do not evacuate students until you are told to, even if the fire bells go off. If, in fact, there is a need for a fire evacuation, you will be notified via the PA system, email, or phone call
- o Do not open the door, even if someone knocks and claims to be a staff member (Administrator/custodian will have a master key)
- o If students are out on the PE field, do not return them to the locker room. Move them to a safe place (the farthest part of the campus)

## **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, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any other student or school personnel, or retaliate against them for filing a complaint or participating in the complaint resolution process.

The Superintendent or designee shall develop strategies for addressing bullying in district schools with the involvement of students, parents/guardians, and staff. As appropriate, the Superintendent or designee may also collaborate with social services, mental health services, law enforcement, courts, and other agencies and community organizations in the development and implementation of effective strategies to promote safety in schools and the community.

Such strategies shall be incorporated into the comprehensive safety plan and, to the extent possible, into the local control and accountability plan and other applicable district and school plans.

Any complaint of bullying shall be investigated and, if determined to be discriminating, resolved in accordance with law and the district's uniform complaint procedures specified in AR 1312.3 - Uniform Complaint Procedures. If, during the investigation, it is determined that a complaint is about nondiscriminatory bullying, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

Any employee who permits or engages in bullying or retaliation related to bullying shall be subject to disciplinary action, up to and including dismissal.

At Redlands East Valley High School, the Redlands Unified School District Bullying/Harassment Reporting Form (linked on school and district website and located in the REV Administration Office) is utilized to report a possible incident of bullying/harassment as defined in the Redlands Unified School District's Policy Prohibiting Bullying /Harassment. Any student/adult can report bullying/harassment by talking to an administrator and/or completing the form and returning it to a principal, assistant principal, campus safety officer, counselor or other adult staff member on campus. Any allegation of any type of bullying is immediately investigated with a notification made to the reporting party within ten school days of making the report.

## **Safety Plan Review, Evaluation and Amendment Procedures**

Site administrators review and make any necessary changes to the safety plan annually. The safety plan is reviewed and approved by School Site Council annually.

Safety Plan Review, Evaluation and Amendment Procedures

| Activity Description<br>(i.e. review steps, meetings conducted, approvals, etc) | Date and Time                | Attached Document<br>(description and location) |
|---------------------------------------------------------------------------------|------------------------------|-------------------------------------------------|
| Reviewed by administrator, approved via School Site Council meeting             | September 25, 2024 at 3:30pm | Career Center of Redlands East Valley campus    |

## **Emergency Response Guidelines**

### **Step One: Identify the Type of Emergency**

Determining the type of emergency will assist the commander/administrator in making the appropriate decisions to keep the campus safe.

### **Step Two: Identify the Level of Emergency**

Determine the size and immediacy of the emergency to determine the level of the emergency. The site commander will decide if the emergency is it a classroom issue, a whole building, entire campus, community-wide etc.

### **Step Three: Determine the Immediate Response Action**

With safety of students, staff, and visitors at the forefront, site administrators/commander will determine immediate response based on site protocols (reference sections about specific emergencies for more information).

### **Step Four: Communicate the Appropriate Response Action**

Administrators/Commander will communicate to the necessary emergency responders via phone. Administrators/Commander will utilize a variety of communication tools to notify staff and emergency participants such as: Bell system, phone, intercom systems, emails, Remind app messages, and/or Raptor alerts. In addition the Administrator/Commander will communicate with the district office via emergency radio. Lastly, a community communication plan will be created to notify families of incident, pick-up procedures, or next steps through one or several methods. Parent square, Aeries communications, social media, the website.

## **Types of Emergencies & Specific Procedures**

### **Earthquake**

#### **5.8 Earthquake**

Earthquakes generally occur without warning and may cause minor to serious ground shaking, damage to buildings, and injuries. It is important to note that even a mild tremor can create a potentially hazardous situation and the following procedures should be implemented in response to all earthquakes regardless of magnitude.

#### **Procedure**

Note: Keep calm and remain where you are. Assess the situation, and then act. Remember, most injuries or deaths are the direct cause of falling or flying debris.

1. Upon the first indication of an earthquake, teachers should direct students to DUCK AND COVER as described in Section 4.0.
2. Move away from windows and overhead hazards to avoid glass and falling objects.
3. When the shaking stops, the School Administrator will initiate the EVACUATE BUILDING action as described in Section 4.0. Staff and students will evacuate the buildings using prescribed routes or other safe routes to the Assembly Area.

4. In the event of an evacuation, Teachers will bring their student roster and take attendance at the Assembly Area to account for students. Teachers will notify the Assembly Area Team of missing students.
5. The School Administrator will direct the Security/Utilities Team to post guards a safe distance away from building entrances to prevent access.
6. The Security/Utilities Team will notify school personnel of fallen electrical wires and instruct them to avoid touching the fallen wires.
7. The First Aid/Medical Team will check for injuries and provide appropriate first aid.
8. The School Administrator will direct the Security/Utilities Team to notify the appropriate utility company of damages (e.g., gas, power, water, or sewer).
9. If the area appears safe, the Search and Rescue Team will make an initial inspection of school buildings to identify any injured or trapped students or staff.
10. The School Administrator will contact the Local District Superintendent to determine additional actions that may be necessary. In turn, the actions will be communicated to the District's Office of Communications.
11. The School Administrator will contact the Local District Facilities Director to ensure buildings are safe for re-occupancy. When safe to do so, the Fire Suppression and HazMat Team will conduct an inspection of school buildings. The Fire Suppression and HazMat Team will maintain a log of their findings, by building, and provide a periodic report to the Incident Commander.
12. Any affected areas will not be reopened until the Local District Facilities provides clearance and the School Administrator gives authorization to do so.
13. The School Administrator will initiate an OFF-SITE EVACUATION, as described in Section 4.0, if warranted by changes in conditions at the school.

In the event an earthquake occurs during non- school hours:

1. The School Administrator and the Plant Manager will assess damages to determine any necessary corrective actions. The School Administrator may direct the Fire Suppression and HazMat Team to participate in the assessment.

2. The School Administrator should confer with the Local District Superintendent on identified damages to determine if the school should be closed.

3. If the school must be closed, the School Administrator will activate Parent Alert System and School Personnel Alert System as referenced in Section 5.0.

## **Fire in Surrounding Area**

### **5.10 Fire In Surrounding Area**

This procedure addresses the situation where a fire is discovered in an area adjoining the school. The initiated response actions should take into consideration the location and size of the fire, its proximity to the school and the likelihood that the fire may affect the school.

#### **Procedure**

1. The School Administrator will initiate the appropriate Immediate Response Actions, which may include SHELTER-IN-PLACE, LOCK DOWN, EVACUATE BUILDING or OFF-SITE EVACUATION as described in Section 4.0.

2. The School Administrator will notify “911” and San Bernardino Sheriff, the school’s local law enforcement agency, at 911 and Redlands Fire Department [909-798-7600] and will provide the location and nature of emergency.

3. The School Administrator will instruct the Security/Utilities Team to prevent students from approaching the fire and keep routes open for emergency vehicles.

4. The Agency Liaison will contact the local fire department and will work with the fire department to determine if school grounds are threatened by the fire, smoke, or other hazardous conditions.

5. If the School Administrator issues the EVACUATE BUILDING action, staff and student will evacuate the affected building(s) using prescribed routes or other safe routes to the Assembly Area.

6. In the event of an evacuation, Teachers will bring their student roster and take attendance at the Assembly Area to account for students. Teachers will notify the Assembly Area Team of missing students.

7. The School Administrator will keep a battery-powered radio tuned to a local radio station for emergency information.
8. As appropriate, the School Administrator will activate Parent Alert System.
9. The School Administrator will notify the Local District Superintendent of the emergency situation. A member of this group will call the Office of Communications with information of this situation.
10. If needed, the School Administrator will notify Bus Dispatch to request busses for staff and student evacuation.
11. The School Administrator will initiate an OFF-SITE EVACUATION, as described in Section 4.0 if warranted by changes in conditions.

### **Fire on School Grounds**

#### **5.11 Fire On School Grounds**

This procedure addresses situations where a fire is discovered on school grounds. A quick response to this situation is very important to prevent injuries and further property damage.

#### **Procedure**

1. Upon discovery of a fire, Teachers or staff will direct all occupants out of the building, signal the fire alarm, and report the fire to the School Administrator.
2. The School Administrator will immediately initiate the EVACUATE BUILDING action as described in Section 4.0. Staff and students will evacuate buildings using the prescribed routes or other safe routes to the Assembly Area.
3. In the event of an evacuation, Teachers will bring their student roster and take attendance at the Assembly Area to account for students. Teachers will notify the Assembly Area Team of missing students.
4. The School Administrator will call "911" and San Bernardino Sheriff, the school's local law enforcement agency, at 911 and Redlands Fire Department [909-798-7600] and will provide the exact location (e.g., building, room, area) of the fire.
5. The Fire Suppression and HazMat Team will suppress fires and initiate rescue procedures until the local fire department arrives.



6. The Security/Utilities Team will secure the area to prevent unauthorized entry and keep access roads clear for emergency vehicles.
7. The Agency Liaison will direct the fire department to the fire and brief fire department official on the situation.
8. The Security/Utilities Team will notify the appropriate utility company of damages.
9. The School Administrator will notify the Local District Superintendent of the fire. A member of this group will call the Office of Communications with information on this situation.
10. If needed, the School Administrator will notify Bus Dispatch to request busses for staff and student evacuation.
11. Any affected areas will not be reopened until the Redlands City Fire Department or appropriate agency provides clearance and the School Administrator issues authorization to do so.
12. For fires during non-school hours, the School Administrator and the Local District Superintendent will determine if the school will open the following day.
13. All fires, regardless of their size, which are extinguished by school personnel, require a call to the Fire Department to indicate "fire is out."

## **Pandemic**

### **Blood Borne Pathogen Incident Reporting Form and Exposure Control Plan**

#### **Policy 5141.22: Infectious Diseases**

The Governing Board desires to protect students from risks posed by exposure to infectious diseases while providing an appropriate education for all students.

The Superintendent or designee shall determine whether to admit a student with an infectious disease, and shall exclude students only in accordance with law. In making this determination, he/she shall consult the student's parents/guardians, the student's physician and/or the county health department, in accordance with law and consistent with confidentiality provisions. Because bloodborne pathogens such as hepatitis B virus, hepatitis C virus and human immunodeficiency virus (HIV) are not casually transmitted, the sole presence of bloodborne pathogens is not sufficient reason to exclude students from attending school.

cf. 5112.2 - Exclusions from Attendance)  
(cf. 5141.26 - Tuberculosis Testing)  
(cf. 5141.3 - Health Examinations)  
(cf. 6158 - Independent Study)  
(cf. 6159 -Individualized Education Program)  
(cf. 6183 - Home/Hospital Instruction)

Parents/guardians are encouraged to inform the Superintendent or designee if their child has an infectious disease so that school staff may work cooperatively with the student's parents/guardians to minimize the child's exposure to other diseases in the school setting. The Superintendent or designee shall ensure that student confidentiality rights are strictly observed in accordance with law. No district employee shall release medical information, including knowledge of a bloodborne pathogen infection, without written consent from the parent/guardian or adult student. Such information shall be shared only with those persons specifically named in the written permission.

(cf. 5125 - Student Records)

(cf. 5022 -Student and Family Privacy Rights)

The Board requires students and staff to routinely observe universal precautions to prevent exposure to bloodborne pathogens and to prevent the spread of all infectious disease.

cf. 4119.42/4219.42/4319.42 -Exposure Control Plan for Bloodborne Pathogens)

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)

(cf. 5141.23 - Infectious Disease Prevention)

The Superintendent or designee shall ensure that the district's health education program provides information about the nature of bloodborne pathogens and their transmission.

(cf. 5141.6 - Student Health and Social Services)

(cf. 6142.2 - Sexual Health and HIV/AIDS Prevention Instruction)

(cf. 6142.8 - Comprehensive Health Education)

## Blood Borne Pathogens - Safety Practices

### Procedures and Regulations

#### 1. General

1.1 While recognizing that both students and employees diagnosed with an infectious blood borne disease are entitled to a confidential relationship between themselves, the medical community and/or other agencies, the Board of School Trustees encourages these individuals to meet with the School Principal and/or Superintendent of Schools to discuss their disease and immediate and future needs.

#### 1.2 Assessment

#### 2. Students:

2.1. The Superintendent (or designate) will be informed, by the school principal as soon as is known, of any student infected with an infectious blood borne disease.

2.2. A Risk Assessment will be conducted using a team approach including the personal physician, public health personnel, the parent or guardian, and school district personnel as appropriate and will make recommendations about the type of educational and care setting based on the following:

- a. Behavior, neurological development and physical condition of the child;
- b. Type of interaction expected with others.
- c. What the potential is for exposure
- d. Areas for potential for exposure
- e. How exposure may happen
- f. Who needs to know?
- g. What will happen if there is a risk of exposure?

2.3. The team will consider the risk to others in the workplace, whether or not the individual is healthy enough to continue to attend school, and what precautions should be taken to ensure the safety and health of others.

a. The identity of infected students will remain confidential and restricted to those who need to know or are required to be informed.

2.4. Decisions on attendance at school are dependent on the circumstances of each individual case. Regular evaluation of the appropriateness of attendance will be conducted.

2.5. The Board will be notified immediately when the team considers the health condition of a student to be a danger to the immediate health and welfare of a school, its students or employees of the Board.

a. Upon being notified of the team's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

### 3. Employees

3.1. The Superintendent will be informed, by district staff as soon as is known, of any employee infected with an infectious blood borne disease.

3.2. Employees with an infectious blood borne disease, who are able to carry out the essential duties of their jobs in a satisfactory manner without posing a health or safety risk to themselves or others, will be entitled to continue their work.

3.3. Decisions regarding potential health or safety hazards will be made on a case-by-case basis in consultation with the employee, the personal physician and district personnel as appropriate.

3.4. The identity of infected employees will remain confidential and restricted to those who need to know or are required to be informed.

3.5. The Board will be notified immediately if the Superintendent considers the health condition of an employee to be a danger to the immediate health and welfare of a school, its students or other employees of the Board.

a. Upon being notified of the Superintendent's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

### 4. Hygienic Safety Practices

4.1. All employees will follow "Universal Infection Control Precautions" by assuming that blood and other body fluids from all individuals are potentially infectious. These precautions include:

- a. Routinely using gloves when anticipating contact with blood
- b. Immediately washing hands and other skin surfaces after removal of gloves and/or contact with blood

4.2. Schools will be provided with appropriate protective equipment including disposable waterproof gloves (natural rubber latex, neoprene, nitrile, or vinyl), tongs or pliers and proper sharps containers.

4.3. Schools' medical room mattresses will be either vinyl-coated beds or cloth mattress with a protective vinyl (plastic) covering so that they can be cleaned as needed with a bleach solution.

4.4. Blankets can be cleaned as needed by forwarding them, in a clearly labeled plastic bag, to the Assistant Supervisor Operations at the Facilities Office.

### 5. Universal Precautions

5.1. Universal Precautions to prevent transmission of blood-borne disease will be followed. Universal Precautions is the term for infection control measures endorsed by the Canadian Centre for Occupational Health and Safety for workers who might come into contact with blood and other body fluids. In summary they include:

- a. Wash hands for 30 seconds after contact with blood and other body fluids contaminated with blood.
- b. Wear disposable latex gloves when you encounter blood, body fluids, or when cleaning cuts, scrapes or wounds. Wash your hands as soon as you remove your gloves. Dispose gloves in a plastic bag.
- c. Use disposable absorbent material like paper towels to stop bleeding.
- d. Discard bloodstained material in a sealed plastic bag and deposit in the garbage. Label as containing blood-tainted material.
- e. Cover cuts or scrapes with a bandage until healed.
- f. Immediately protect staff and students from coming in contact with blood-soiled surfaces. The area must be disinfected with a fresh solution of one part bleach and nine-parts water (10% bleach solution).

Mops or brushes used for cleaning should be soaked in a bleach solution for 20 minutes.

(Note: The custodial department will provide each school with the product for dissolving in water to provide the bleach solution.)

#### 6. Identification of Risks of Occupational Exposure

6.1. In accordance with the Occupational Health and Safety Regulations (section 6.35), the district's Health & Safety Coordinator will develop and maintain a list of positions and/or tasks and procedures where there is a potential for occupational exposure to a blood borne pathogen.

6.2. Employees who have, or may have, occupational exposure to the hepatitis B virus, will upon request, receive a hepatitis B vaccination (section 6.39, OH&S Regs).

6.3. Employees who may have been exposed to a blood borne pathogen in an exposure incident will be advised to immediately seek medical attention

## **Blood Borne Pathogen Incident Reporting Form and Exposure Control Plan**

### **Policy 5141.22: Infectious Diseases**

The Governing Board desires to protect students from risks posed by exposure to infectious diseases while providing an appropriate education for all students.

The Superintendent or designee shall determine whether to admit a student with an infectious disease, and shall exclude students only in accordance with law. In making this determination, he/she shall consult the student's parents/guardians, the student's physician and/or the county health department, in accordance with law and consistent with confidentiality provisions. Because bloodborne pathogens such as hepatitis B virus, hepatitis C virus and human immunodeficiency virus (HIV) are not casually transmitted, the sole presence of bloodborne pathogens is not sufficient reason to exclude students from attending school.

(cf. 5112.2 - Exclusions from Attendance)  
(cf. 5141.26 - Tuberculosis Testing)  
(cf. 5141.3 - Health Examinations)  
(cf. 6158 - Independent Study)  
(cf. 6159 - Individualized Education Program)  
(cf. 6183 - Home/Hospital Instruction)

Parents/guardians are encouraged to inform the Superintendent or designee if their child has an infectious disease so that school staff may work cooperatively with the student's parents/guardians to minimize the child's exposure to other diseases in the school setting. The Superintendent or designee shall ensure that student confidentiality rights are strictly observed in accordance with law. No district employee shall release medical information, including knowledge of a bloodborne pathogen infection, without written consent from the parent/guardian or adult student. Such information shall be shared only with those persons specifically named in the written permission.

(cf. 5125 - Student Records)  
(cf. 5022 - Student and Family Privacy Rights)

The Board requires students and staff to routinely observe universal precautions to prevent exposure to bloodborne pathogens and to prevent the spread of all infectious disease.

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)  
(cf. 4119.43/4219.43/4319.43 - Universal Precautions)  
(cf. 5141.23 - Infectious Disease Prevention)

The Superintendent or designee shall ensure that the district's health education program provides information about the nature of bloodborne pathogens and their transmission.

(cf. 5141.6 - Student Health and Social Services)  
(cf. 6142.2 - Sexual Health and HIV/AIDS Prevention Instruction)  
(cf. 6142.8 - Comprehensive Health Education)

# **Blood Borne Pathogens - Safety Practices**

## **Procedures and Regulations**

### **1. General**

1.1 While recognizing that both students and employees diagnosed with an infectious blood borne disease are entitled to a confidential relationship between themselves, the medical community and/or other agencies, the Board of School Trustees encourages these individuals to meet with the School Principal and/or Superintendent of Schools to discuss their disease and immediate and future needs.

1.2 Assessment

### **2. Students:**

2.1. The Superintendent (or designate) will be informed, by the school principal as soon as is known, of any student infected with an infectious blood borne disease.

2.2. A Risk Assessment will be conducted using a team approach including the personal physician, public health personnel, the parent or guardian, and school district personnel as appropriate and will make recommendations about the type of educational and care setting based on the following:

- a. Behavior, neurological development and physical condition of the child;
- b. Type of interaction expected with others.
- c. What the potential is for exposure
- d. Areas for potential for exposure
- e. How exposure may happen
- f. Who needs to know?
- g. What will happen if there is a risk of exposure?

2.3. The team will consider the risk to others in the workplace, whether or not the individual is healthy enough to continue to attend school, and what precautions should be taken to ensure the safety and health of others.

- a. The identity of infected students will remain confidential and restricted to those who need to know or are required to be informed.

2.4. Decisions on attendance at school are dependent on the circumstances of each individual case. Regular evaluation of the appropriateness of attendance will be conducted.

2.5. The Board will be notified immediately when the team considers the health condition of a student to be a danger to the immediate health and welfare of a school, its students or employees of the Board.

- a. Upon being notified of the team's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

### **3. Employees**

3.1. The Superintendent will be informed, by district staff as soon as is known, of any employee infected with an infectious blood borne disease.

3.2. Employees with an infectious blood borne disease, who are able to carry out the essential duties of their jobs in a satisfactory manner without posing a health or safety risk to themselves or others, will be entitled to continue their work.

3.3. Decisions regarding potential health or safety hazards will be made on a case-by-case basis in consultation with the employee, the personal physician and district personnel as appropriate.

3.4. The identity of infected employees will remain confidential and restricted to those who need to know or are required to be informed.

- 3.5. The Board will be notified immediately if the Superintendent considers the health condition of an employee to be a danger to the immediate health and welfare of a school, its students or other employees of the Board.
- a. Upon being notified of the Superintendent's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

#### **4. Hygienic Safety Practices**

- 4.1. All employees will follow "Universal Infection Control Precautions" by assuming that blood and other body fluids from all individuals are potentially infectious. These precautions include:
- a. Routinely using gloves when anticipating contact with blood
  - b. Immediately washing hands and other skin surfaces after removal of gloves and/or contact with blood
- 4.2. Schools will be provided with appropriate protective equipment including disposable waterproof gloves (natural rubber latex, neoprene, nitrile, or vinyl), tongs or pliers and proper sharps containers.
- 4.3. Schools' medical room mattresses will be either vinyl-coated beds or cloth mattress with a protective vinyl (plastic) covering so that they can be cleaned as needed with a bleach solution.
- 4.4. Blankets can be cleaned as needed by forwarding them, in a clearly labeled plastic bag, to the Assistant Supervisor Operations at the Facilities Office.

#### **5. Universal Precautions**

- 5.1. Universal Precautions to prevent transmission of blood-borne disease will be followed. *Universal Precautions* is the term for infection control measures endorsed by the Canadian Centre for Occupational Health and Safety for workers who might come into contact with blood and other body fluids. In summary they include:
- a. Wash hands for 30 seconds after contact with blood and other body fluids contaminated with blood.
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  - c. Use disposable absorbent material like paper towels to stop bleeding.
  - d. Discard bloodstained material in a sealed plastic bag and deposit in the garbage. Label as containing blood-tainted material.
  - e. Cover cuts or scrapes with a bandage until healed.
  - f. Immediately protect staff and students from coming in contact with blood-soiled surfaces. The area must be disinfected with a fresh solution of one part bleach and nine-parts water (10% bleach solution).

Mops or brushes used for cleaning should be soaked in a bleach solution for 20 minutes.

(Note: The custodial department will provide each school with the product for dissolving in water to provide the bleach solution.)

#### **6. Identification of Risks of Occupational Exposure**







- 6.1. In accordance with the Occupational Health and Safety Regulations (section 6.35), the district's Health & Safety Coordinator will develop and maintain a list of positions and/or tasks and procedures where there is a potential for occupational exposure to a blood borne pathogen.
- 6.2. Employees who have, or may have, occupational exposure to the hepatitis B virus, will upon request, receive a hepatitis B vaccination (section 6.39, OH&S Regs).
- 6.3. Employees who may have been exposed to a blood borne pathogen in an exposure incident will be advised to immediately seek medical attention

# Comprehensive School Safety Plan

**2024-2025  
School Year**

**School:** Redlands Senior High School  
**CDS Code:** 36-67843-3635042  
**District:** Redlands Unified School District  
**Address:** 840 East Citrus Avenue  
 Redlands, CA 92374  
**Date of Adoption:** November 14, 2024  
**Date of Update:** October 4, 2024  
**Date of Review:**  
 - with Staff October 4, 2024  
 - with Law Enforcement  
 - with Fire Authority

Approved by:

| Name                | Title                          | Signature                                                                                                  | Date    |
|---------------------|--------------------------------|------------------------------------------------------------------------------------------------------------|---------|
| Rachael Rehage      | Assistant Principal            |  <a href="#">Clear</a>  | 10/2/24 |
| Stacey Turnpugh     | Teacher                        |  <a href="#">Clear</a> | 10/2/24 |
| Jennifer Fieldhouse | Parent                         |  <a href="#">Clear</a> | 10/2/24 |
| Christine Martinez  | Secretary II                   |  <a href="#">Clear</a> | 10/2/24 |
| Richard McLaughlin  | School Resource Officer        |  <a href="#">Clear</a> |         |
| Ryan Gallagher      | Redlands Fire Department Medic |  <a href="#">Clear</a> |         |
|                     |                                |  <a href="#">Clear</a> |         |



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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 Redlands High School.

## Safety Plan Vision

Redlands High School is proud to be a school that works to provide:

Curriculum and Instruction

- High expectations for all students through a rigorous, standards-based curriculum
- Clear and focused academic goals for student learning
- Targeted use of research-based best practices

Student Support and Intervention

- Frequent and strategic monitoring of student progress
- Academic and behavioral support systems for students
- Effective partnerships with parents and community

#### Positive Educational Environment

- A safe and orderly environment
- A positive, respectful environment between staff and students
- School pride through academic success and student involvement in school activities and athletics
- A professional and collaborative culture
- Strong responsive team-based leadership

## **Components of the Comprehensive School Safety Plan (EC 32281)**

### **Redlands Senior High School Safety Committee**

#### **Assessment of School Safety**

Redlands High School utilizes data from monthly suspension/expulsion reports and the Student Services year end report to evaluate the current status of school crime. A Safe School Plan is updated each school year and is reflective of the school's safety needs.

School crime is reported annually to the State of California. Redlands Senior High School works closely with Student Services, and the Redlands Police Department to ensure compliance with all reporting, laws, and penal codes. During the 2023-24 school year, 413 students were chronically absent and 52 students were suspended.

The key components of the Redlands High School's Safe School Plan include a description of school discipline policies and procedures, ensuring a safe and orderly environment, dress code guidelines, suspension and expulsion policies, sexual harassment and bullying policies, child abuse reporting procedures, dangerous pupil notification, and disaster response procedures.

Seven full-time security officers and four part-time campus monitors work with students to provide for a safe campus. Additionally, the school has one school resource, a Redlands Police, officer assigned solely to the school.

To ensure student safety before school, during passing periods, during lunch and after school, school security and administrators supervise the school grounds. All visitors must report to the administration office and may not be on school grounds unless they have clearance and have obtained a visitor's pass that is cleared through the Raptor System that searches data bases, including Megan's Law, to insure that the visitor is cleared to be on campus. All staff members are required to wear their district issued identification card at all times while on campus.

The staff has developed a comprehensive disaster readiness plan. The plan covers emergencies such as fires, earthquakes, power blackouts, lock downs and emergency situations where we would have to close the facilities or keep the students in class. Disaster (fire/earthquake/lockdown) drills are held at a minimum of six times each year so the students are aware of the various procedures to be followed in case of a disaster. This plan will enable staff and students to remain calm and follow safety procedures if an actual event occurs.

The school site is inspected for safety issues each year. Safety Committee meetings are held quarterly.

**Strategies and Programs to Provide and Maintain a High Level of Safety (EC 32281(a)1, items A-J)**

## Introduction - School Profile

Redlands Senior High School is one of twenty-seven schools in the Redlands Unified School District with traditions dating back to 1891. Redlands Senior High School has a diverse pupil student body and is served by a dedicated staff. Both staff and parents comment on the positive changes that are ongoing in our school.

Redlands Senior High School faces challenges in maintaining a safe school. This section of the Comprehensive School Safety Plan will describe programs in place at our school as well as strategies and programs of our school site council for continued improvement in providing a safe, orderly, school environment conducive to learning.

## School Crime Status and Reporting

Redlands High School utilizes data from monthly suspension/expulsion reports and the Student Services year end report to evaluate the current status of school crime. A Safe School Plan is updated each school year and is reflective of the school's safety needs.

School crime is reported annually to the State of California. Redlands Senior High School works closely with Student Services, and the Redlands Police Department to ensure compliance with all reporting, laws, and penal codes. During the 2023-2024 school year, 413 students were chronically absent and 52 students were suspended.

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The staff has developed a comprehensive disaster readiness plan. The plan covers emergencies such as fires, earthquakes, power blackouts, lock downs and emergency situations where we would have to close the facilities or keep the students in class. Disaster drills are held four times each year so the students are aware of the various procedures to be followed in case of a disaster. This plan will enable staff and students to remain calm if an actual event occurs.

The school site is inspected for safety issues each year. Safety Committee meetings are held quarterly.

## Personal Characteristics of Pupil & Staff

(Additional Health and Welfare Data available from ICOE aggregated DAT surveys)

Redlands Senior High School has an enrollment of 2200 pupils in grades 9 through 12. Pupils from this school come from families with moderate family mobility. The school is enrolled in the National School Lunch and School Breakfast Programs called the Community Eligibility Provision (CEP) which means that all enrolled students in the school, regardless of income level, are eligible to receive a healthy school breakfast and school lunch at no cost. The ethnic/racial makeup of the student population is 44.7% Hispanic, 23.5% White, 14% Asian, .28% American Indian .55% Pacific Islander, 4.6% Filipino, 6.1% Black and 6.1% Multi-Ethnic. Our pupils have a variety of life experiences. Some pupils have recently arrived from foreign countries while others have never left their neighborhood.

## Curriculum and Educational Activities

The course of study includes the basic core curriculum, physical education and enrichment classes such as Mock Trial, Academic

Decathlon, Speech and Debate, and visual and performing arts courses. RHS offers a wide range of advanced placement classes. Scores of our students are consistently the highest in both Riverside and San Bernardino Counties. The school also enjoys award winning newspaper, yearbook, vocal, instrumental, visual and performing arts, spirit leader, and athletic programs. Our AVID program continues to grow graduating students that are prepared for college.

RHS is committed to providing all students with a rigorous learning environment in order to fully develop their potential. To support these efforts, staff members consistently analyze student results to make revisions as needed in programs, curricula, and instruction. The school counseling program consists of a Multi-Tiered, Multi-Domain System of Supports (MTMDSS) to address the academic, college and career, and social/emotional needs of ALL students. Students at Redlands High School develop a four-year plan with their school counselor. Further, Redlands High School continues the development of School-to-Career programs with the successful establishment of the HEART Academy (health careers), and the Air Force JROTC program. Redlands High School is a charter participant in the Redlands COMPACT, a partnership between business and education that was formed in 1990. The COMPACT steering committee is made up of representatives from all district comprehensive high schools, students, local colleges, our Board of Trustees, the business community, and community service clubs. The committee meets monthly to discuss career programs, career preparation activities, and community service activities at all high schools. The student club gives its members an opportunity to learn competitive skills for future employment by participating in different activities associated with job searches and interactions with various members of the business community. All student members are expected to donate their time to serving in the community.

Redlands High School has the support of many different parent, community and business organizations. The PTSA is a parent/teacher/student organization that meets monthly to provide support as needed. Among their activities are sponsorship of Grad Night, open house (parents night), and the awarding of scholarships to deserving students. Parent volunteers support the RHS program in innumerable ways and are involved in our Parent Teacher Student Association, the School Site Council, booster clubs for athletics, speech, music, and drama, and on the various steering committees for the career pathways and academies.

Pupils have the opportunity to participate in school-day and after-school activities through membership in a variety of programs that help to expand the academic and school culture experience of our students. During the 2023-2024 school year, these activity and athletic groups continued to excel and represented Redlands High with distinction.

- RHS Mock trial is a competition where students simulate a real trial and develop skills like public speaking, critical thinking, and delivering a persuasive argument. RHS had both of their teams make the county finals last year where the blue team earned the school its 17th county championship to go along with two state championships.
- All Spirit Leader squads competed at USA nationals. Mascots took 2nd and for the first time in school history, and JV Cheer won a National Championship title.
- Link Crew trains upperclassmen to serve as mentors for the freshman class. As positive role models, Link Crew leaders are motivators, leaders and teachers who help guide the freshmen and help them discover what it takes to be successful at Redlands High School through a number of different events including Becoming A Terrier and Freshmen Orientation.
- The Vocal Music Department provides a comprehensive program of vocal and choral music, arranged so that any student at RHS who wants to experience singing may do so. The four choral ensembles consistently receive superior ratings at festivals and competitions for their excellence and continue to represent Redlands HS and our community with pride and distinction, including being the highest scoring high school in several different competitions during the past year.
- The Theatre Arts Co organization promotes theater on the RHS Campus. It includes TACo Club, International Thespian Troupe, and performance and tech opportunities with several performances each year.
- Student Government supports schoolwide climate and culture needs through on campus activities and events. They are dedicated to creating opportunities for student involvement that are fun, welcoming, and accepting.
- The 23-24 Speech and Debate Team had a successful year, coming in 2nd place in the CCSR league and placed 6th in the state of California. The team also had over 100 individual awards during the season, over two dozen team members who qualified for state and national tournaments, two students who were National Finalists, and overall the team won two National Awards of Distinction.
- The RHS Athletic Program consisted of the following teams during the '23-'24 school year: Football, Boys and Girls Cross Country, Boys and Girls Golf, Boys and Girls Tennis, Boys and Girls Volleyball, Boys and Girls Water Polo, Boys and Girls Basketball, Boys and Girls Soccer, Boys and Girls Wrestling, Competition Cheer, Baseball, Softball, Boys and Girls Track, Boys and girls Swimming and Co-ed Badminton.
- The following Athletic teams won Citrus Belt League titles: Girls Volleyball, Girls Tennis, Girls Golf, Boys Tennis, Girls Swimming, and Boys Swimming. Student athletes also won individual titles for Girls Tennis, Wrestling, Boys Swimming, Girls Swimming, Boys Track, and Girls Track.



Staff members continue to provides additional opportunities for students to grow as active and productive members of the Redlands High School community with over 40 clubs and multiple opportunities for after-school tutoring.

#### **(A) Child Abuse Reporting Procedures (EC 35294.2 [a] [2]; PC 11166)**

Policy 5141.4: Child Abuse Prevention And Reporting

Original Adopted Date: 06/27/1995 | Last Revised Date: 10/11/2022 | Last Reviewed Date: 10/11/2022

The Governing Board 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.

#### **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.

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)

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.

#### **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.

Procedures for reporting child abuse shall be included in the district and/or school comprehensive safety plan. (Education Code 32282)

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: 06/27/1995 | Last Revised Date: 10/11/2022 | Last Reviewed Date: 10/11/2022

### 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. 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
3. Sexual abuse of a child, including sexual assault or sexual exploitation, as defined in Penal Code 11165.1
4. Neglect of a child as defined in Penal Code 11165.2
5. Unlawful corporal punishment or injury as defined in Penal Code 11165.4

Child abuse or neglect does not include:

1. A mutual affray between minors (Penal Code 11165.6)
2. An injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of employment (Penal Code 11165.5, 11165.6)
3. An injury resulting from the exercise by a teacher, vice principal, principal, or other certificated employee of the same degree of physical control over a student that a parent/guardian would be legally privileged to exercise, not exceeding the amount of physical control reasonably necessary to maintain order, protect property, protect the health and safety of students, or maintain proper and appropriate conditions conducive to learning (Education Code 44807)
4. An injury caused by a school employee's use of force that is reasonable and necessary to quell a disturbance threatening physical injury to persons or damage to property, for purposes of self-defense, or to obtain weapons or other dangerous objects within the control of a student (Education Code 49001)
5. Physical pain or discomfort caused by athletic competition or other such recreational activity voluntarily engaged in by a student (Education Code 49001)
6. Homelessness or classification as an unaccompanied minor (Penal Code 11165.15)

Mandated Reporters include, but are not limited to, teachers; instructional aides; teacher's aides or assistants; classified employees; certificated pupil personnel employees; administrative officers or supervisors of child attendance; athletic coaches, administrators, and directors; licensed nurses or health care providers, licensees, administrators, and employees of a licensed child day care facility; Head Start program teachers; district police or security officers; and administrators, presenters, and counselors of a child abuse prevention program. (Penal Code 11165.7)

Reasonable Suspicion means that it is objectively reasonable for a person to entertain a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his/her training and experience, to suspect child abuse or neglect. However, reasonable suspicion does not require certainty that child abuse or neglect has occurred, nor does it require a specific medical indication of child abuse or neglect. (Penal Code 11166)

### Reportable Offenses

A mandated reporter shall make a report using the procedures provided below whenever, 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 and Liability

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 made and signed by that person. Any person who knows that the person designated to report failed to make the report shall thereafter make the report. (Penal Code 11166)

The duty to report child abuse is an individual duty and no supervisor or administrator may impede or inhibit a mandated reporter from making a report. (Penal Code 11166)

Any person not identified as a mandated reporter who has knowledge of or observes a child whom the person knows or reasonably suspects has been a victim of child abuse or neglect may report the known or suspected instance of child abuse or neglect to the appropriate agency. (Penal Code 11166)

## Reporting Procedures

### 1. Initial Telephone Report

Immediately or as soon as practicable after knowing or observing suspected child abuse or neglect, a mandated reporter shall make an initial report by telephone to any police department (excluding a school district police/security department), sheriff's department, county probation department if designated by the county to receive such reports, or county welfare department. (Penal Code 11165.9, 11166)

Such reports shall be made to the following agency:

Redlands Police Department: (909) 798-7681  
or CPS 24-Hr Hotline: (800) 827-8724

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 name(s), address(es), and telephone number(s) of the child's parent(s)/guardian(s)
- 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 site administrator or designee as soon as possible after the initial verbal report by telephone. When so notified, the site administrator shall inform the Superintendent or designee.

Administrators so notified shall provide the mandated reporter any assistance necessary to ensure that reporting procedures are carried out in accordance with law, Board policy, and administrative regulation. At the mandated reporter's request, the principal may assist in completing and filing the necessary forms.

Reporting the information to an employer, supervisor, principal, school counselor, co-worker, or other person shall not be a substitute for making a mandated report to the appropriate agency. (Penal Code 11166)

### Training

Within the first six weeks of each school year, or within the first six weeks of employment if hired during the school year, the Superintendent or designee shall provide training on mandated reporting requirements to district employees and persons working on their behalf who are mandated reporters. (Education Code 44691; Penal Code 11165.7)

The Superintendent or designee shall use the online training module provided by the California Department of Social Services (CDSS). (Education Code 44691)

The training shall include, but not necessarily be limited to, training in identification and reporting of child abuse and neglect. In addition, the training shall include information that failure to report an incident of known or reasonably suspected child abuse or neglect as required by law is a misdemeanor punishable by imprisonment and/or a fine as specified. (Education Code 44691; Penal Code 11165.7)

The Superintendent or designee shall obtain and retain proof of each mandated reporter's completion of the training. (Education Code 44691)

In addition, at least once every three years, school personnel may receive training in the prevention of child abuse, including sexual abuse, on school grounds, by school personnel, or in school-sponsored programs. (Education Code 44691)

## Victim Interviews by Social Services

Whenever CDSS or another government agency is investigating suspected child abuse or neglect that occurred within the child's home or out-of-home care facility, the student may be interviewed by an agency representative during school hours, on school premises. The student shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the 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 student and enable him/her to be as comfortable as possible.
2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the student.
4. The selected person is subject to the confidentiality requirements of the Child Abuse and Neglect Reporting Act, a violation of which is punishable as specified in Penal Code 11167.5.

If a staff member agrees to be present, the interview shall be held at a time during school hours when it does not involve an expense to the school. (Penal Code 11174.3)

## Release of Child to Peace Officer

When a child is released to a peace officer and taken into custody as a victim of suspected child abuse or neglect, the Superintendent or designee and/or principal shall not notify the parent/guardian, but rather shall provide the peace officer with the address and telephone number of the child's parent/guardian. (Education Code 48906)

## Parent/Guardian Complaints

Upon request, the Superintendent or designee shall provide parents/guardians with procedures for reporting suspected child abuse occurring at a school site to appropriate agencies. For parents/guardians whose primary language is not English, such procedures shall be in their primary language and, when communicating orally regarding those guidelines and/or procedures, an interpreter shall be provided.

To file a complaint against a district employee or other person suspected of child abuse or neglect at a school site, parents/guardians may file a report by telephone, in person, or in writing with any appropriate agency identified above under "Reporting Procedures." If a parent/guardian makes a complaint about an employee to any other employee, the employee receiving the information shall notify the parent/guardian of procedures for filing a complaint with the appropriate agency. The employee shall also file a report when obligated to do so pursuant to Penal Code 11166 using the procedures described above for mandated reporters.

In addition, if the child is enrolled in special education, a separate complaint may be filed with the California Department of Education pursuant to 5 CCR 3200-3205.

## Notifications

The Superintendent or designee shall provide to all new employees who are mandated reporters a statement that informs them of their status as mandated reporters, their reporting obligations under Penal Code 11166, and their confidentiality rights under Penal Code 11167. The district also shall provide these new employees with a copy of Penal Code 11165.7, 11166, and 11167. (Penal Code 11165.7, 11166.5)

Before beginning employment, any person who will be a mandated reporter by virtue of the person's position shall sign a statement indicating knowledge of the reporting obligations under Penal Code 11166 and compliance with such provisions. The signed statement shall be retained by the Superintendent or designee. (Penal Code 11166.5)

Employees who work with dependent adults shall be notified of legal responsibilities and reporting procedures pursuant to Welfare and Institutions Code 15630-15637.

The Superintendent or designee also shall notify all employees that:

1. A mandated reporter who reports a known or suspected instance of child abuse or neglect shall not be held civilly or criminally liable for making a report and this immunity shall apply even if the mandated reporter acquired the knowledge or reasonable suspicion of child abuse or neglect outside of the mandated reporter's professional capacity or outside the scope of employment. Any other person making a report shall not incur civil or criminal liability unless it can be proven that the person knowingly made a false report or made a report with reckless disregard of the truth or falsity of the report. (Penal Code 11172)

2. If a mandated reporter fails to timely report an incident of known or reasonably suspected child abuse or neglect, the mandated reporter may be guilty of a crime punishable by imprisonment or a fine. (Penal Code 11166) No employee shall be subject to any sanction by the district for making a report unless it can be shown that the employee knowingly made a false report or made a report with reckless disregard of the truth or falsity of the report. (Penal Code 11166, 11172)

## **(B) Disaster Procedures (EC 35295-35297; GC 8607 and 3100)**

### **Disaster Plan (See Appendix C-F)**

#### **SAFETY PROTOCOLS & PROCEDURES**

Staff Members as Emergency Workers: In the event of an emergency incident on campus, ALL STAFF will receive a Raptor Alert/Aeries Communication/Email/PA Announcement to go to Minga and join an Emergency Check-In event. This will provide the Incident Commander with real-time information about who is available to activate and assist, identify those who can't respond and need assistance, and to know who is safe both on and off campus.

#### **Stage 1 Protocols & Procedures:**

##### **Fire Emergency**

You should follow the evacuation routes as described on the RHS Fire Evacuation map below.

Signal: Fire alarm will sound in all classrooms

Repeated horn sound in rapid succession

##### **Freeway Chemical Spill or Power Outage Emergency**

You should follow the closest evacuation routes and proceed to Terrier Gym as quickly as possible. Please refer to the RHS North Campus Evacuation to Terrier Gym document below for more details.

Signal: You will be notified via the campus speaker system and email.

#### **What to Do:**

- 1) Explain - Explain to your students what the horn or announcement means.
- 2) Line Up - Ask your students to walk to the door to form an orderly line for evacuation purposes.
- 3) Evacuate - Students should move to the designated evacuation area in a silent, straight line.

When you leave your classroom, please follow these steps:

Bring your attendance roster and emergency backpack.

Shut your classroom door.

Evacuate to the appropriate Stage 1 evacuation area.

Take attendance using the Emergency Status Report once you are safely away from the building. Please include your name and include whether the missing students were absent that day, or did not arrive at the evacuation site.

Hold your attendance form until it is picked-up by a student runner.

4) All Clear - The "All Clear" notification will be given by an RHS administrator via the school PA system, Raptor Alert, and RUSD email, and will include instructions on how/where teachers and their students should proceed next.

Links in RHS Readiness Guide:

RHS Fire Evacuation Map

North Campus Evacuation Map

Fire Evacuation Safety Rules

RHS Emergency Status Report

Stage 2 Protocols & Procedures:

Earthquake Emergency

You should follow the evacuation routes as described on the RHS Earthquake Evacuation map below.

In the event of an earthquake, you will need to declare a Stage 2 Emergency within your classroom and implement the following procedures.

What to Do:

1) Drop, Cover, and Hold - Please be sure to discuss this with your students before drills in anticipation of a major earthquake. You can use the flyers below to model appropriate technique.

2) Line Up - When the tremors subside and you believe it is safe to begin the evacuation process, ask your students to walk to the door to form an orderly line for evacuation purposes.

3) Evacuate - Do not wait for an all-call system, as we will likely have lost power. Use your own judgment or listen for directions. Students should move to the designated Earthquake Emergency Evacuation Area in a silent, straight line.

When you leave your classroom, please follow these steps:

Bring your attendance roster, emergency backpack, and bucket.

Leave your classroom door OPEN.

Take attendance using the Emergency Status Report form once you are safely away from the building.

Hold your Emergency Status Report form until it is picked-up by a student runner.

4) All Clear - The "All Clear" notification will be given by an RHS administrator via bullhorn/portable speaker or student runners, and will include instructions on how/where teachers and their students should proceed next.

Links in RHS Readiness Guide: :

RHS Earthquake Evacuation Map

Drop, Cover, Hold Flyer

Protect Yourself During Earthquakes

RHS Utilities Map

RHS Emergency Status Report

Stage 3 Protocols & Procedures: Please review all three closely.

Level 1 Safe & Secure Emergency

Will be called to reduce student and staff movement outside school buildings.

It is designed to allow for school to carry forward but have the ability to move to Lockdown quickly if needed.

During the Safe & Secure mode, there is heightened vigilance on campus by all school staff.

Signal: You will be notified via the campus PA system, Raptor Alert, and RUSD email.

What to Do:

Teachers should continue teaching as normal.

Allow students to use the restroom only if it is an emergency and is allowed within the incident directions given by RHS administration and security.

All students who are given permission to leave to use the restroom MUST HAVE a pass from the teacher. No Exceptions!  
Increased staff presence during passing periods and student dismissal if directed to do so and available.  
Lunch/activities in a more secure area if directed to do so by administration or security.  
Perimeter gates, where applicable, will be locked and monitored by available staff, allowing for central access points.  
PE classes will be moved off all fields into more secure locations.

All Clear: The release and all clear will be given via the campus PA system, Raptor Alert, and RUSD email with instructions to release students to their next period as necessary.

Links in RHS Readiness Guide:

Incident Examples:

Animal Emergency

Citrus Ave. Flood Emergency

Fight Emergency

Mass Casualty Emergency at the Crosswalk

Missing Student Emergency

Power Outage Emergency

Level 2 Lockdown Emergency

Will be called when a law enforcement event is happening in the vicinity of the RHS campus.

The law enforcement agency generally, but not always, contacts the school/district to encourage the school site to lock down as a precautionary measure.

Signal: You will be notified via the campus PA system, Raptor Alert, and RUSD email.

What to Do:

Take a look outside of your classroom or office and gather up any stray students in the hallways.

If students are outside of the classroom with a teacher or staff member, quickly move them to a nearby secure building and follow the same procedures as those in classrooms or offices.

Ensure that your door is locked.

If windows and/or window coverings are open, close them.

Project a calm demeanor to help students remain calm.

Reassure students that they are safe.

Do not allow anyone to leave the classroom.

Frequently check your emails for possible updates from site administrators.

These will be given as soon as possible.

Please do not call the switchboard or office to ask for an update. Phones must be kept free for emergency communication.

Have all students immediately silence all cell phones, and cease using all social media applications, recording devices, and online communication platforms. Students may only use their cell phones to quietly text parents/guardians if it is deemed safe to do so by the teacher.

Students and staff must understand that unnecessary noise, distractions, or posting of information of any kind on social media could further escalate the danger of the situation and lead to individuals being harmed and/or loss of life.

All Clear: DO NOT OPEN CLASSROOM OR OFFICE DOORS, OR EXIT A SAFE LOCATION UNDER ANY CIRCUMSTANCES. The release and all clear will happen as follows: A security officer or administrator will physically unlock your door and give you a verbal all clear. All students will continue to remain in class until ALL classes are given the all clear by a security officer or administrator. The release and all clear will then be given via the campus PA system, Raptor Alert, and RUSD email and will include instructions to release students to their next period or location as necessary.

Incident Examples:

Campus Intruder Emergency

Off-Campus Emergency

Critical Alert Emergency



Will be called when a significant, threatening event is happening on campus or adjacent to campus that creates a potential danger to students and staff.

While this may be communicated to the school by law enforcement, it may also be determined by school officials on the scene.

Critical Alert Lockdown assumes that everyone is prepared for a potential significant threat/event on campus.

#### What To Do:

Implement all items from the Lockdown Emergency list above.

Turn off all lights so it will appear that the room is vacant.

Keep all students sitting on the floor, away from the door or windows.

Close/cover ALL windows.

Advise the students that there is a serious situation, but you don't know what it is.

Project a calm demeanor to help students remain calm and reassure students that they are safe.

Have all students/staff immediately silence all cell phones, and cease using all social media applications, recording devices, and online communication platforms. Students/staff may only use their cell phones to quietly text parents/guardians if it is deemed safe to do so by the teacher.

Students and staff must understand that unnecessary noise, distractions, or posting of information of any kind on social media could further escalate the danger of the situation and lead to individuals being harmed and/or loss of life.

Keep the room as quiet as possible for the duration of the incident.

Do not call the office. Everyone on campus will be dealing with the incident in a similar manner and will not be able to answer calls.

Doing so may put them at risk of harm.

Deal with all emergencies at your location to the best of your ability.

Utilize emergency supplies in your Emergency Backpack as needed.

Quietly take roll and make a list of missing students/staff and add any extra students that are in your room.

Email this list to your administrators and school site secretaries.

Include information about any serious injuries sustained by students/staff.

Do not open the door, even if someone knocks and claims to be an administrator, security office, or first responder.

Do not evacuate students, even if the fire alarm goes off.

If students are out on the athletic fields, do not have them return to the locker room. Move them to a safe place using your best judgment (ex: the farthest corner of the campus).

All Clear: DO NOT OPEN CLASSROOM OR OFFICE DOORS, OR EXIT A SAFE LOCATION UNDER ANY CIRCUMSTANCES. The release and all clear will happen as follows: A law enforcement officer, RHS/RUSD security officer, or RHS/RUSD administrator will physically unlock your door and give you a verbal all clear. All students and staff will then proceed as directed by the same official.

#### Examples:

Campus Intruder Emergency

Bomb/Shooting/Weapon Emergency

Off-Campus Emergency

#### Links in RHS Readiness Guide:

RUSD Safety Communication Plan.pdf

RUSD 3 Levels of Student Safety in a Crisis

Active Shooter Event Quick Reference Guide

RHS Campus Map

RHS Emergency Status Report

Level 3 Critical Incident Flowchart

RHS Threat Response Procedures & Checklist

RHS 31911 Checklist

#### EMERGENCY PROCEDURES FOR SPECIFIC SITUATIONS:

#### Fire In the Classroom: Stage 1 Emergency Protocols and Procedures

In the event of an actual fire in a classroom or workspace, the following should be accomplished:

Pull the fire alarm in your building to institute a Stage 1 evacuation.

Evacuate the classroom or workspace (and concurrently report if safe to do so via the Raptor Alert app to notify RHS Administration, the RHS Safety team and RHS staff).

Call 911 and report the emergency. Be sure to include accurate information about location on campus.

All staff should follow the evacuation routes as described on the RHS Fire Evacuation map.

If the fire continues to grow despite best efforts, get as far away as possible, even if that means exiting campus.

Stay aware and alert for further instruction via school PA system, the Raptor Alert app, or RUSD email.

What to Do In The Presence of Students:

1) Explain - Explain to students what the horn or announcement means.

2) Line Up - Ask students to walk to the door to form an orderly line for evacuation purposes.

3) Evacuate - Students should move to the designated evacuation area in a silent, straight line.

When leaving the classroom/workspace, please follow these steps:

Bring attendance roster and emergency backpack.

Shut classroom/workspace door.

Evacuate to the appropriate Stage 1 evacuation area.

Take attendance using the Emergency Status Report once safely away from the building. Please include name and include whether the missing students were absent that day, or did not arrive at the evacuation site.

Hold attendance form until it is picked-up by a student runner.

4) All Clear - The "All Clear" notification will be given by an RHS administrator via the school PA system, the Raptor Alert app, or RUSD email, and will include instructions on how/where teachers, staff and students should proceed next.

Small fires can be put out with the fire extinguisher. Use the PASS method.

Pull the pin to activate the extinguisher.

Aim at the base of the fire.

Squeeze the trigger to discharge.

Sweep the extinguisher from side to side.

Armed Subject (Stage 3 Emergency - Lock Down):

If you know or suspect that a student or anyone on campus is carrying a weapon, please take one or more of the following steps to get assistance:

Initiate a Team Assist request on Raptor Alert and include the following information:

Your Name

Your location

Type of weapon

Name of individual suspected of having a weapon, their location, where they are seated if in your classroom, and clothing description.

Any situational details that will be helpful to security or law enforcement.

Email [rhs31911@redlands.k12.ca.us](mailto:rhs31911@redlands.k12.ca.us) and include the following information:

Your Name

Your location

Type of weapon

Name of individual suspected of having a weapon, their location, where they are seated if in your classroom, and clothing description.

Any situational details that will be helpful to security or law enforcement.

Flag the email as High Importance.  
Please include 911 in the subject line.  
Ex: "911 in R-22"

Call 31911 and share the following information:

Your Name

Your location

Type of weapon

Name of individual suspected of having a weapon, their location, where they are seated if in your classroom, and clothing description.

Any situational details that will be helpful to security or law enforcement.

If the person is threatening or brandishing the weapon, call 911 immediately and then call 31911 or email [rhs31911@redlands.k12.ca.us](mailto:rhs31911@redlands.k12.ca.us) to notify RHS administration and security.

Never attempt to restrain an armed student even if the weapon is not exposed.

If the student leaves your room, LET THEM GO!

Advise security of location and direction the student was going.

Maintain the safety of students and staff that are at your location.

If the SRO and or RHS Security enter your classroom or office to investigate a report of a weapon, please give them as much space as possible to investigate and be prepared to follow all instructions as they work to remove the student or students from your space. If the student(s) resist the instructions of the SRO and or RHS Security, please be ready to evacuate yourself and all others in the space as instructed. This will help to ensure the safety of all involved.

#### Shooting (Stage 3 Emergency):

Your first indication of a dangerous situation may be a Lockdown signal. On the other hand, your first indication of a shooting might be popping, cracking or banging noises. Different calibers of weapons have completely different sounds. You might hear breaking glass, windows exploding, or bullets ricocheting. If this situation occurs, do the following:

Call 911 and report the situation and any injuries.

Then call 31911, email [rhs31911@redlands.k12.ca.us](mailto:rhs31911@redlands.k12.ca.us) or initiate an alert on Raptor Alert to report the situation to RHS administration and security.

Implement Stage 3: Critical Alert Emergency Lockdown procedures.

#### Unarmed or Violent Mentally Unstable Subjects (Stage 3 Emergency):

Even if a student does not have a weapon, he/she can still be a danger to him/herself or others. Whether it is psychological disorders or chemical induced reactions, a student can behave violently or bizarrely to the point where he/she can overcome an adult. If you find yourself in a situation where you or your students feel threatened by the actions of another, do the following:

Dial 31911, email [rhs31911@redlands.k12.ca.us](mailto:rhs31911@redlands.k12.ca.us) or initiate a Team Assist request on Raptor Alerts to report the situation and request assistance. Be sure to note the student's location and/or direction of travel.

Try de-escalation strategies to calm the subject until help arrives. However, the use of physical force is appropriate to prevent injury to yourself or others.

If the subject leaves the room – LET THEM GO!

#### Bomb Threats (Stage 1 Emergency):

The responsibility for determining the exact course of action in a bomb threat remains with the RHS administration and security.

Anyone receiving information regarding a bomb threat must immediately report the information to 31911 or [rhs31911@redlands.k12.ca.us](mailto:rhs31911@redlands.k12.ca.us) Please remember to use the RHS Threat Response Procedures & Checklist if you receive a bomb threat. Do not ignore a threat. Carefully review the information presented here.

If you receive a bomb threat, use the RHS Threat Response Procedures & Checklist (see Supplemental Materials below) to get as much information as possible.

Anyone who receives a written bomb threat shall place it in an envelope and take note of where and when it was found.

Immediately call 31911, email [rhs31911@redlands.k12.ca.us](mailto:rhs31911@redlands.k12.ca.us) and or initiate a Team Assist request on Raptor Alert to report the threat. Use a different phone if necessary.

The Incident Commander will determine the next course of action. It may include lockdown, stage one, or stage two evacuation.

#### Major Fight/Riot (Stage 2 or 3 Emergency):

Fights or riots can occur with students on campus, strangers on campus, or in the surrounding community. Regardless, your first action is to contact campus security.

Dial 31911, email [rhs31911@redlands.k12.ca.us](mailto:rhs31911@redlands.k12.ca.us) or initiate a Team Assist request on Raptor Alert to report the disturbance.

Once the emergency has been called in, the Incident Commander will determine the next course of action. This could include lockdown or evacuation.

Do not get involved with the altercation unless it is deemed necessary to prevent injury to yourself or others.

#### Additional Information:

##### Evacuation During Non-Class Times:

In the event of a Stage 1 or Stage 2 Emergency (Ex: Earthquake or Fire On Campus) when class is not in session, students and staff should safely proceed to the appropriate evacuation area for their Period 4 class. In the event of a Stage 3 Emergency (Lockdown), students and staff should quickly go to a nearby secure building and follow the same procedures as those in classrooms or offices.

##### Emergency messages:

Anytime an important message needs to reach staff, an announcement will be made, "All staff, please check your email." All staff will be expected to read their email immediately and listen for further instructions. Additionally, in the event of an emergency incident on campus, you will receive an Aeries Communication/Email/PA Announcement to go to Minga and join an Emergency Check In event.

##### Emergency Supervision:

Student tensions on campus can be a problem. Volunteer teachers are recruited each year to serve as emergency supervisors on campus. If problems are anticipated in advance, emergency supervisors are notified by administration.

##### Media:

Staff members are not to communicate with TV or Print Media. Staff members are not to post on Social Media until the resolution of the emergency. Refer any inquiries to the Incident Commander or Public Information Officer at the Command Post. It is critical that only full and factual information is provided to our families and community.

#### Supplemental Materials:

##### RHS Mod/Severe Special Needs Classes Lockdown and Evacuation Plan

##### Check-In and Check-Out Procedures for Outside Contractors at RHS:

Any contractor conducting work at RHS must visit the South Campus Switchboard on their first day to complete the RAPTOR check-in process.

If contractors are working on campus for consecutive days, after the first day, they may use the RHS Outside Contractor Check-In QR Code that will be given to them at the time of their initial RAPTOR check-in.

If a new contractor joins an existing team, they will need to complete the RAPTOR check-in process on their first day.

At the end of each workday, contractors will need to use the same RHS Outside Contractor Check-In QR Code to document that they are leaving campus for the day. Checking out assists school and emergency services in an evacuation event. If you have not checked out, you are assumed to still be onsite, and will need to be contacted to verify your location.

#### Links in RHS Readiness Guide:

RHS Outside Contractor Check-In Handout  
RHS Threat Response Procedures & Checklist  
Substitute Handout - RHS Safety Protocols & Procedures  
RHS Incident Command Structure  
Emergency First Aid Guide for California Schools  
Basic Life Saving Quick Pocket Reference  
Save a Life Flowchart  
CARE for the Injured  
First Aid - Instructions for Use  
First Aid - Trauma Guide  
Wound Care  
RHS Trauma Kit Inventory  
RHS Classroom Disaster Backpack Inventory  
Emergency Radio Check Out Sheet

#### Helpful Apps:

CPR & First Aid - American Heart Association  
Earthquake: American Red Cross  
Emergency: Alerts - American Red Cross  
First Aid: American Red Cross  
Minga: Creating Amazing Schools  
Pulse Point AED - Next Generation AED Management  
Tactical Breather - National Center for Telehealth & Technology  
Zello Walkie Talkie - Zello

#### **Public Agency Use of School Buildings for Emergency Shelters**

City of Redlands

#### **(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines**

Regulation 5144.1: Suspension And Expulsion/Due Process

Original Adopted Date: 06/27/1995 | Last Revised Date: 10/11/2022 | Last Reviewed Date: 10/11/2022

Suspension means removal of a student from ongoing instruction for adjustment purposes. However, 'suspension does not mean any of the following: (Education Code 48925)

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

Referral to a certificated employee designated by the principal to advise students

Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code 48910.

Expulsion means removal of a student from the immediate supervision and control or the general supervision of school personnel. (Education Code 48925)

#### Notice of Regulations

At the beginning of each school year, the principal of each school shall ensure that all students and parents/guardians are notified in writing of all school rules related to discipline, including suspension and expulsion. Education Code 35291, 48900.1, 48980)

(cf. 5144 -Discipline)

(cf. 5145.6 Parental Notifications)

Grounds for Suspension and Expulsion: Grades K-12

Acts for which a student, including a student with disabilities, may be suspended or expelled shall be only those specified as follows and in the sections "Additional Grounds for Suspension and Expulsion: Grades 4-12" and "Additional Grounds for Suspension and Expulsion: Grades 9-12" below:

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

1. Caused, attempted to cause, or threatened to cause physical injury to another person; willfully used force or violence upon another person, except in self-defense; or committed as an aider or abettor, as adjudged by a juvenile court, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code 48900(a) and (t))
2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48900(b))

(cf. 5131 - Conduct)

(cf. 5131.7 - Weapons and Dangerous Instruments)

3. Unlawfully possessed, used, sold, otherwise furnished, or was under the influence of, any controlled substance as defined in the Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind. (Education Code 48900(c))

(cf. 3513.4 - Drug and Alcohol Free Schools)

(cf. 5131.6 - Alcohol and Other Drugs)

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance or material and represented same as such controlled substance, alcohol beverage or intoxicant. (Education Code 48900(d))
  5. Committed or attempted to commit robbery or extortion. (Education Code 48900(e))
  6. Caused or attempted to cause damage to school property or private property. (Education Code 48900(f))
  7. Stole or attempted to steal school property or private property. (Education Code 48900(g))
  8. Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel, except that this restriction shall not prohibit a student from using or possessing prescription products. (Education Code 48900(h))
- (cf. 5131.62 - Tobacco)
9. Committed an obscene act or engaged in habitual profanity or vulgarity. (Education Code 48900(i))
  10. Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code. (Education Code 48900(j))
  11. Knowingly received stolen school property or private property. (Education Code 48900(1))
  12. Possessed an imitation firearm, i.e., a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm. (Education Code 48900(m))
  13. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code 243.4. (Education Code 48900(n))
  14. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness. (Education Code 48900(o))

15. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma. (Education Code 48900(p))

16. Engaged in, or attempted to engage in, hazing (Education Code 48900(q))

Hazing means a method of initiation or pre-initiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. Hazing does not include athletic events or school-sanctioned events. (Education Code 48900(q))

17. Engaged in an act of bullying (Education Code 48900(r))

Bullying means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, directed toward one or more students that has or can reasonably be predicted to have the effect of placing a reasonable student in fear of harm to self or property; cause the student to experience a substantially detrimental effect on physical or mental health; or cause the student to experience substantial interferences with academic performance or ability to participate in or benefit from the services, activities, or privileges provided by a school. (Education Code 48900(r))

Bullying includes any act of sexual harassment, hate violence, or harassment, threat, or intimidation, as defined in Education Code 48900.2, 48900.3, or 48900.4 and below in the section "Additional Grounds for Suspension and Expulsion: Grades 4-12," that has any of the effects described above on a reasonable student.

Bullying also includes an act of cyber sexual bullying by a student through the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording that depicts a nude, semi-nude, or sexually explicit photograph or other visual recording of an identifiable minor, when such dissemination is to another student or to school personnel by means of an electronic act and has or can be reasonably predicted to have one or more of the effects of bullying described above. Cyber sexual bullying does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

Electronic act means the creation or transmission originated on or off the school site by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication including, but not limited to: (Education Code 48900(r))

a. A message, text, sound, video, or image

b. A post on a social network Internet 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))

(cf. 1114 - District-Sponsored Social Media)

(cf. 5131.2 - Bullying)

(cf. 6163.4 - Student Use of Technology)

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

(cf. 6164.6 - Identification and Education under Section 504)

18. Aided or abetted the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31 (Education Code 48900(t))

19. Made terrorist threats against school officials and/or school property. (Education Code 48900.7)

A terrorist threat includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death or great bodily injury to another person or property damage in excess of \$1,000, with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out. (Education Code 48900.7)

#### Additional Grounds for Suspension and Expulsion: Grades 4-12

A student in grades 4 through 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)

(cf. 5145.7 -Sexual Harassment)

2. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 233. (Education Code 48900.3)

Hate violence means any act punishable under Penal Code 422.6, 422.7, or 422.75. Such acts include injuring or intimidating a victim, interfering with the exercise of a victim's civil rights, or damaging a victim's property because of the victim's race, ethnicity, religion, nationality, disability, gender, gender identity, gender expression, or sexual orientation; a perception of the presence of any of those characteristics in the victim; or the victim's association with a person or group with one or more of those actual or perceived characteristics. (Education Code 233; Penal Code 422.55)

(cf. 5145.9 - Hate-Motivated Behavior)

3. Intentionally engaged in harassment, threats or intimidation against district personnel or students that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment. (Education Code 48900.4)

(cf. 5145.3 -Nondiscrimination/Harassment)

#### 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))

(cf. 5131.4 - Student Disturbances)

#### 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 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)

(cf. 5125 - Student Records)

#### Length of Suspension

The Superintendent, principal, or designee may suspend a student from school for not more than five consecutive school days. (Education Code 48911)

A student may be suspended from school for not more than 20 school days in any school year. However, if a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class for the purpose of adjustment, the student may be suspended for not more than 30 days in a school year. The district may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which the student may be suspended in any school year. (Education Code 48903, 48911, 48912)

(cf. 6184 - Continuation Education)

These restrictions on the number of days of suspension shall not apply when the suspension is extended pending an expulsion. (Education Code 48911)

#### Due Process Procedures for Suspension

Suspensions shall be imposed in accordance with the following procedures:

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the principal, Superintendent 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(b))

This conference may be omitted if the principal, designee or the Superintendent or designee determines that an emergency situation exists. An "emergency situation" involves 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. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such 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 also state the date and time when the student may return to school.

4. Parent/Guardian Conference: Whenever a student is suspended, school officials may request a meeting with the parent/guardian to discuss the cause(s) and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

Should 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)

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

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)

If the student involved is a foster youth, the Superintendent or designee shall notify the district liaison for foster youth of the need to invite the student's attorney and a representative of the appropriate county child welfare agency to attend the meeting. (Education Code 48853.5, 48911, 48918.1)

(cf. 6173.1 - Education for Foster Youth)

d. If the student involved is a homeless child or youth, the Superintendent or designee shall notify the district liaison for homeless students. (Education Code 48918.1)

(cf. 6173 - Education for Homeless Children)

In lieu of or in addition to suspending a student, the Superintendent, principal, or designee may provide services or require the student to participate in an alternative disciplinary program designed to correct 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 may hold a closed session if a public hearing would lead to disclosure of information which would violate a student's right to privacy under Education Code 49073-49079. (Education Code 35146, 48912)

(cf. 9321 Closed Session)

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 Codes 35146, 48912)

#### Superintendent or Principal's Authority to Recommend Expulsion

Unless the principal or Superintendent 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 principal or Superintendent 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 impracticable 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 Expulsions

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 48915.5)

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 his/her right to: (Education Code 48915.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing.
2. Have up to two adult support persons of his/her choosing present at the hearing at the time he/she testifies.
3. Have a closed hearing during the time he/she testifies.

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48915.5)

#### 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 ten (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 parent/guardian's obligation pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment.

This obligation applies when a student is expelled for acts other than those described in Education Code 48915(a) or (c).

(cf. 5119 -Students Expelled from Other Districts)

5. The opportunity for the student or the student's parent/guardian to appear in person or be represented by legal counsel or by a non-attorney adviser.

Legal counsel means an attorney or lawyer who is admitted to the practice of law in California and is an active member of the State Bar of California.

Non-attorney adviser means an individual who is not an attorney or lawyer, but who is familiar with the facts of the case and has been selected by the student or student's parent/guardian to provide assistance at the hearing.

6. The right to inspect and obtain copies of all documents to be used at the hearing.
7. The opportunity to confront and question all witnesses who testify at the hearing.
8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf, including witnesses.

#### Additional Notice of Expulsion Hearing for Foster Youth and Homeless Students

If the student facing expulsion is a foster student, the Superintendent or designee shall also send notice of the hearing to the student's attorney and a representative of an appropriate child welfare agency at least 10 days prior to the hearing. (Education Code 48918.1)

If the student facing expulsion is a homeless student, the Superintendent or designee shall also send notice of the hearing to the district liaison for homeless students at least 10 days prior to the hearing. (Education Code 48918.1)

Any notice for these purposes may be provided by the most cost-effective method possible, including by email or a telephone call. (Education Code 48918.1)

#### Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding Education Code 35145, the Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such 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 if the student should be expelled. If the Board admits any other person to the closed session, the parent/guardian, the student, and the counsel of the student shall also be allowed to attend the closed session. (Education Code 48918(c))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to testify in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including, but not limited to, a videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

2. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, so long as a reasonably accurate written and complete written transcription of the proceedings can be made. (Education Code 48918(g))

3. Subpoenas: Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20. (Education Code 48918(i))

Any objection raised by the student or the Superintendent or designee to the issuance of subpoenas may be considered by the Board in closed session, or in open session if so requested by the student, before the meeting. The Board's decision in response to such an objection shall be final and binding. (Education Code 48918(i))

If the Board determines, or if the hearing officer or administrative panel finds and submits to the Board, that a witness would be subject to unreasonable risk of harm by testifying at the hearing, a subpoena shall not be issued to compel the personal attendance of that witness at the hearing. However, that witness may be compelled to testify by means of a sworn declaration as described in item #4 below. (Education Code 48918(i))

4. Presentation of Evidence: Technical rules of evidence shall not apply to the expulsion hearings, but relevant evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. The decision of the Board to expel shall be supported by substantial evidence that the student committed any of the acts pursuant to Education Code 48900 and listed in "Grounds for Suspension and Expulsion: Grades K-12," "Additional Grounds for Suspension and Expulsion: Grades 4-12," and "Additional Grounds for Suspension and Expulsion: Grades 9-12" above. (Education Code 48918(h))

Findings of fact shall be based solely on the evidence at the hearing. Although no finding shall be based solely on hearsay, sworn declarations may be admitted as testimony from witnesses whose disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm. (Education Code 48918 (f))

In cases where a search of a student's person or property has occurred, evidence describing the reasonableness of the search shall be included in the hearing record.

5. Testimony By Complaining Witness: The following procedures shall be observed when a hearing involves allegations of sexual assault or sexual battery by a student: (Education Code 48918, 48918.5)

a. Any complaining witness shall be given five days' notice before being called to testify.

b. Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during the testimony.

c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.

d. The person presiding over the hearing may remove a support person who is disrupting the hearing.

e. If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code 868.5.

f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.

g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.

(1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.

(2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which the complaining witness may leave the hearing room.

(3) The person conducting the hearing may:

(a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness.

(b) Limit the time for taking the testimony of a complaining witness to normal school hours, if there is no good cause to take the testimony during other hours.

(c) Permit one of the support persons to accompany the complaining witness to the witness stand.

6. Decision: The Board's decision on 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. Alternatively, the Board may 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(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified in "Conduct of Expulsion Hearing" above, 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 at a public meeting. (Education Code 48918(j))

The Board's decision is final. If the decision is not to 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 an act listed under "Mandatory Recommendation and Mandatory Expulsion" 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. The 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 his/her parent/guardian. (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Board of Education. (Education Code 48918)
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion. (Education Code 48918)
5. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1. (Education Code 48918)

#### Decision to Suspend Expulsion Order

In accordance with Board policy, when deciding whether to suspend the enforcement of an expulsion order, the Board shall take into account the following criteria:

1. The student's pattern of behavior.
2. The seriousness of the misconduct.
3. The student's attitude toward the misconduct and his/her willingness to follow a rehabilitation program.

The suspension of the enforcement of an expulsion shall be governed by the following:



1. The Board may, as a condition of the suspension of enforcement, assign the student to a school, class or program appropriate for the student's rehabilitation. This rehabilitation program may provide for the involvement of the student's parent/guardian in the student's education. However, a parent/guardian's refusal to participate in the rehabilitation program shall not be considered in the Board's determination as to whether the student has satisfactorily completed the rehabilitation program. (Education Code 48917)
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status. (Education Code 48917)
3. The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion: Grades K-12," "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 suspension of enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order. (Education Code 48917)
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings. (Education Code 48917)
6. 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 of Education. (Education Code 48917)
7. 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 also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education, 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(ij))

## Appeal

The student or parent/guardian is entitled to file an appeal of the Board's decision with the County Board of Education. 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)

## Notifications 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 also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance, 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 district or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering or sale of controlled substances, alcohol, or intoxicants of any kind. (Education Code 48902)

## Placement During Expulsion

The Board shall refer expelled students to a program of study that is: (Education Code 48915, 48915.01)

1. Appropriately prepared to accommodate students who exhibit discipline problems.
2. Not provided at a comprehensive middle, junior or senior high school or at any elementary school, unless the program is offered at a community day school established at any of these.
3. Not housed at the school site attended by the student at the time of suspension.

(cf. 6158 - Independent Study)

(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for only acts described in items #6 through #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 request for recommendation regarding readmission. The Board shall consider this recommendation in closed session. If a written request for open session is received from the parent/guardian or adult student, it shall be honored to the extent that privacy rights of other students are not violated.
3. If the readmission is granted, the Superintendent or designee shall notify the student and parent/guardian, by registered mail, of the Board's decision regarding readmission.
4. The Board may deny readmission only if it finds that the student has not satisfied the conditions of the rehabilitation plan or that the student continues to pose a danger to campus safety or to other district students or employees. (Education Code 48916)
5. If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school.
6. The Board shall provide written notice to the expelled student and parent/guardian describing the reasons for denying readmittance into the regular program. This notice shall indicate the Board's determination of the educational program which the Board has chosen. The student shall enroll in that program unless the parent/guardian chooses to enroll the student in another school district. (Education Code 48916)

No student shall be denied readmission into the district based solely on the student's arrest, adjudication by a juvenile court, formal or informal supervision by a probation officer, detention in a juvenile facility, enrollment in a juvenile court school, or other such contact with the juvenile justice system. (Education Code 48645.5)

#### Maintenance of Records

The district shall maintain a record of each suspension and expulsion, including its specific cause(s). (Education Code 48900.8)

Expulsion records of any student shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls upon written request by that school. (Education Code 48918(k))

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district. (Education Code 48915.1)

(cf. 5119 - Students Expelled from Other Districts)

Regulation REDLANDS UNIFIED SCHOOL DISTRICT

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#### **(D) Procedures to Notify Teachers of Dangerous Pupils (EC 49079)**

To fulfill the requirements made by Education Code 49079 that states teachers must be notified of the reason(s) a student has been suspended, Redlands High School has incorporated this notification into the existing "Attendance" screen in Aeries. On the attendance screen, when a student is suspended, an "S" will be indicated for the suspension dates. To notify teachers of suspensions as they occur during the school year, the teacher is notified of the specific education code violation (not details of the particular incident) on the same day via email. The information provided is for the student's current teachers only. All information regarding suspension and expulsion is confidential and will not be shared with any other staff, student(s), or parent(s).

Redlands Unified School District will annually and dutifully notify teachers of students who are identified as dangerous in accordance with California Education Code 49079:

(a) A school district shall inform the teacher of each pupil who has engaged in, or is reasonably suspected to have engaged in, any of the acts described in any of the subdivisions, except subdivision (h) of Section 48900 or in Section 48900.2, 48900.3, 48900.4, or 48900.7, or Section 48915, that the pupil engaged in, or is reasonably suspected to have engaged in, those acts. The district shall provide the information to the teacher based on any records that the district maintains in its ordinary course of business, or receives from a law enforcement agency regarding a pupil described in this section.

(b) A school district, or school district officer or employee, is not civilly or criminally liable for providing information under this section unless it is proven that the information was false and that the district or district officer or employee knew or should have known that the information was false, or the information was provided with a reckless disregard for its truth or falsity.

(c) An officer or employee of a school district who knowingly fails to provide information about a pupil who has engaged in, or who is reasonably suspected to have engaged in, the acts referred to in subdivision a is guilty of a misdemeanor, which is punishable by confinement in the county jail for a period not to exceed six months, or by a fine not to exceed one thousand dollars (\$1,000), or both.

(d) For the 1994-95 school year, the information provided shall be from the previous two school years. For the 1996-97 school year and each school year thereafter, the information provided shall be from the previous three school years.

(e) Any information received by a teacher pursuant to this section shall be received in confidence for the limited purpose for which it was provided and shall not be further disseminated by the teacher.

At Redlands High School, at the beginning of each school year, teachers are required to meet with an administrator to sign a document for each of their students who fall under EC 49079. The teacher can sign either that they want/do not want the administrator to divulge the disciplinary information regarding their student(s). The forms are kept on file at the school.

**(E) Sexual Harassment Policies (EC 212.6 [b])**

## Policy 4119.11: Sex Discrimination and Sex-Based Harassment

The Governing Board is committed to providing a safe work environment that is free of harassment and intimidation. The Board prohibits sexual harassment against district employees by anyone, in any manner, and prohibits retaliatory action or behavior against any persons who complains, testifies, or otherwise participates in the complaint process established pursuant to this policy and accompanying administrative regulation. This policy shall apply to all district employees, interns, volunteers, contractors, job applicants, and other persons with an employment relationship with the district.

(cf. 0410 - Nondiscrimination in District Programs and Activities) (cf. 4030 - Nondiscrimination in Employment)

Sexual harassment includes, but is not limited to, harassment that is based on the sex, gender, gender identity, gender expression, or sexual orientation of the victim and harassment based on pregnancy, childbirth, or related medical conditions.

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation, and correction of sexual harassment, including but not limited to:

1. Providing training to all staff in accordance with law and administrative regulation.
2. Publicizing and disseminating the district's sexual harassment policy to staff.
3. Ensuring prompt, thorough, equitable, and fair investigation of complaints
4. Taking timely and appropriate corrective/remedial actions which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments.

The Superintendent or designee shall periodically evaluate the effectiveness of the district's strategies to prevent and address harassment. Such evaluation may involve conducting regular anonymous employee surveys to assess whether harassment is occurring or is perceived to be tolerated, partnering with researchers or other agencies with the needed expertise to evaluate the district's prevention strategies, and using any other effective tool for receiving feedback on systems and/or processes. As necessary, changes shall be made to the harassment policy, complaint procedures, or training.

### Sexual Harassment Reports and Complaints

Any district employee who feels that he/she has been sexually harassed in the performance of their district responsibilities or who has knowledge of any incident of sexual harassment by or against another employee shall immediately report the incident to his/her supervisor, the principal, other district administrator, or the district's Title IX Coordinator. However, an employee may bypass his/her supervisor in filing a complaint if the supervisor is the subject of the complaint. A supervisor, principal, or district administrator who receives a harassment complaint shall promptly notify the Title IX Coordinator.

Once notified, the Title IX Coordinator shall ensure the complaint or allegation is addressed through AR 4119.12/4219.12/4319.12 – Title IX Sexual Harassment Complaint Procedures or AR 4030- Nondiscrimination in Employment, as applicable. Because a complaint or allegation that is dismissed or denied under the Title IX complaint procedure may still be subject to consideration under state law, the Title IX Coordinator shall ensure that any implementation of AR 4119.12/4219.12/4319.12 concurrently meets the requirements of AR 4030.

Notwithstanding the above, BP/AR 4119.12/4219.12/4319.12 and 4030 shall under no circumstances be used to resolve complaints brought by, on behalf of, or against students. All complaints brought by, on behalf of, or against students that allege “sexual harassment” as that term is defined in the federal regulations implementing Title IX of the Education Amendments of 1972 (see 34 C.F.R. § 106, et seq.) shall be investigated and resolved under BP/AR 5145.71. All complaints brought by, on behalf of, or against students that do not meet the definition of “sexual harassment” as set forth in the Title IX implementing regulations shall be investigated and resolved under BP/AR 1312.3.

(cf. 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaints)

The Title IX Coordinator shall offer supportive measures to the complainant and respondent, as deemed appropriate under the circumstances.

Upon investigation of a sexual harassment complaint, any district employee who engages, or participates in sexual harassment, or who aids, abets, incites, compels, or coerces another to commit sexual harassment in violation of this policy is subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Reports) (cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4218 -

Dismissal/Suspension/Disciplinary Action)

#### Regulation 4119.12: Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures

The complaint procedures described in this administrative regulation shall be used to address any complaint governed by Title IX of the Education Amendments of 1972 alleging that a district employee, while in an education program or activity in which a district school exercises substantial control over the context and respondent, was subjected to one or more of the following forms of sexual harassment: (34 CFR 106.30, 106.44)

1. A district employee conditioning the provision of a district aid, benefit, or service on a person's participation in unwelcome sexual conduct
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291 (cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

All other sexual harassment complaints or allegations shall be investigated and resolved in accordance with AR 4030

- Nondiscrimination in Employment. The determination of whether the allegations meet the definition of sexual harassment under Title IX shall be made by the district's Title IX Coordinator.

(cf. 4030 - Nondiscrimination in Employment)

Because the complainant has a right to pursue a complaint under AR 4030 for any allegation that is dismissed or denied under the Title IX complaint procedure, the Title IX Coordinator shall ensure that all requirements and timelines for AR 4030 are concurrently met while implementing the Title IX procedure.

#### Reporting Allegations/Filing a Formal Complaint

An employee who is the alleged victim of sexual harassment may submit a report of sexual harassment to the district's Title IX Coordinator using the contact information listed in AR 4119.11/4219.11/4319.11 - Sexual Harassment or to the employee's direct supervisor or other district administrator, who shall forward the report to the Title IX Coordinator within one day of receiving the report. Upon receiving such a report, the Title IX Coordinator shall inform the complainant of the right to file a formal complaint and the process for filing a formal complaint.

A formal complaint, with the complainant's physical or digital signature, may be filed with the Title IX Coordinator in person, by mail, by email, or by any other method authorized by the district. (34 CFR 106.30)

Even if the alleged victim chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations when a safety threat exists. In addition, the Title IX Coordinator may file a formal complaint in other situations as permitted under the Title IX regulations, including as part of the district's obligation to not be deliberately indifferent to known allegations of sexual harassment. In such cases, the Title IX Coordinator shall provide the alleged victim notices as required by the Title IX regulations at specific points in the complaint process.

The Title IX Coordinator, investigator, decision-maker, or a facilitator of an informal resolution process shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. Such persons shall receive training in accordance with 34 CFR 106.45. (34 CFR 106.45)

#### Supportive Measures

Upon receipt of a report of Title IX sexual harassment, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures and shall consider the complainant's wishes with respect to the supportive measures implemented. Supportive measures shall be offered as appropriate, as reasonably available, and without charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures shall be nondisciplinary, nonpunitive, and not unreasonably burden the other party, including measures designed to protect the safety of all parties or the district's educational environment or to deter sexual harassment. Supportive measures may include, but are not limited to, counseling, extensions of deadlines, modifications of work schedules, mutual restrictions on contact, changes in work locations, leaves of absence, increased security, and monitoring of certain areas of the campus. (34 CFR 106.30, 106.44)

The district shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the district's ability to provide the supportive measures. (34 CFR 106.30)

#### Emergency Removal

If a district employee is the respondent, the employee may be placed on administrative leave during the pendency of the formal complaint process. (34 CFR 106.44)

If the respondent is a student, the district may, on an emergency basis, remove the student from the district's education program or activity, provided that the district conducts an individualized safety and risk analysis, determines that removal is justified due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations, and provides the student with notice and an opportunity to challenge the decision immediately following the removal. This authority to remove a student does not modify a student's rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973. (34 CFR 106.44)

#### Dismissal of Complaint

The Title IX Coordinator shall dismiss a formal complaint if the alleged conduct would not constitute sexual harassment as defined in

34 CFR 106.30 even if proved. The Title IX Coordinator shall also dismiss any complaint in which the alleged conduct did not occur in the district's education program or activity or did not occur against a person in the United States, and may dismiss a formal complaint if the complainant notifies the district in writing that the complainant would like to withdraw the complaint or any allegations in the complaint, the respondent is no longer employed by the district, or sufficient circumstances prevent the district from gathering evidence sufficient to reach a determination with regard to the complaint. (34 CFR 106.45)

Upon dismissal, the Title IX Coordinator shall promptly send written notice of the dismissal and the reasons for the dismissal simultaneously to the parties and shall inform them of their right to appeal the dismissal of a formal complaint or any allegation in the complaint in accordance with the appeal procedures described in the section "Appeals" below. (34 CFR 106.45)

If a complaint is dismissed, the conduct may still be addressed pursuant to AR 4030 - Nondiscrimination in Employment as applicable.

#### Informal Resolution Process

When a formal complaint of sexual harassment is filed, the district may offer an informal resolution process, such as mediation, at any time prior to reaching a determination regarding responsibility. The district shall not require a party to participate in the informal resolution process or to waive the right to an investigation and adjudication of a formal complaint. (34 CFR 106.45)

The district may facilitate an informal resolution process provided that the district: (34 CFR 106.45)

1. Provides the parties with written notice disclosing the allegations, the requirements of the informal resolution process, the right to withdraw from the informal process and resume the formal complaint process, and any consequences resulting from participating in the informal resolution process, including that records will be maintained or could be shared.
2. Obtains the parties' voluntary, written consent to the informal resolution process

#### Written Notice

If a formal complaint is filed, the Title IX Coordinator shall provide the known parties with written notice of the following: (34 CFR 106.45)

1. The district's complaint process, including any informal resolution process
2. The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known. Such notice shall be provided with sufficient time for the parties to prepare a response before any initial interview. If, during the course of the investigation, new Title IX allegations arise about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.
3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process
4. The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an attorney, and the ability to inspect and review evidence
5. The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process

The above notice shall also include the name of the investigator, facilitator of an informal process, and decision-maker and shall inform the parties that, if at any time a party has concerns regarding conflict of interest or bias regarding any of these persons, the party should immediately notify the Title IX Coordinator.

#### Investigation Procedures

During the investigation process, the district's designated investigator shall: (34 CFR 106.45)

1. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and



exculpatory evidence

2. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence
3. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney
4. Not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding, although the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as the restrictions apply equally to both parties
5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate
6. Send in an electronic format or hard copy to both parties and their advisors, if any, the evidence obtained as part of the investigation that is directly related to the allegations raised in the complaint, and provide the parties at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report
7. Objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and determine credibility in a manner that is not based on a person's status as a complainant, respondent, or witness
8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review and written response

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. (34 CFR 106.45)

Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.

If the complaint is against an employee, rights conferred under an applicable collective bargaining agreement shall be applied to the extent they do not conflict with the Title IX requirements.

#### Written Decision

The Superintendent shall designate an employee as the decision-maker to determine responsibility for the alleged conduct, who shall not be the Title IX Coordinator or a person involved in the investigation of the matter. (34 CFR 106.45)

After the investigative report has been sent to the parties but before reaching a determination regarding responsibility, the decision-maker shall afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party.

The decision-maker shall issue, and simultaneously provide to both parties, a written decision as to whether the respondent is responsible for the alleged conduct. (34 CFR 106.45)

The written decision shall be issued within 60 calendar days of the receipt of the complaint.

The timeline may be temporarily extended for good cause with written notice to the complainant and respondent of the extension and the reasons for the action. (34 CFR 106.45)

In making this determination, the decision-maker shall use the "preponderance of the evidence" standard for all formal complaints of sexual harassment. (34 CFR 106.45)

The written decision shall include the following: (34 CFR 106.45)

1. Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR 106.30

2. A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the district includes hearings as part of the grievance process
3. Findings of fact supporting the determination
4. Conclusions regarding the application of the district's code of conduct or policies to the facts
5. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's educational program or activity will be provided by the district to the complainant
6. The district's procedures and permissible bases for the complainant and respondent to appeal

## Appeals

Either party may appeal the district's decision or dismissal of a formal complaint or any allegation in the complaint, if the party believes that a procedural irregularity affected the outcome, new evidence is available that could affect the outcome, or a conflict of interest or bias by the Title IX Coordinator, investigator(s), or decision-maker(s) affected the outcome. If an appeal is filed, the district shall: (34 CFR 106.45)

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties
2. Ensure that the decision-maker(s) for the appeal is trained in accordance with 34 CFR 106.45 and is not the same decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator
3. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome
4. Issue a written decision describing the result of the appeal and the rationale for the result
5. Provide the written decision simultaneously to both parties

An appeal must be filed in writing within 10 calendar days of receiving the notice of the decision or dismissal, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered.

A written decision shall be provided to the parties within 20 calendar days from the receipt of the appeal.

Either party has the right to file a complaint with the U.S. Department of Education's Office for Civil Rights within 180 days of the date of the most recently alleged misconduct.

The complainant shall be advised of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal antidiscrimination laws, if applicable.

## Remedies

When a determination of responsibility for sexual harassment has been made against the respondent, the district shall provide remedies to the complainant. Such remedies may include the same individualized services described above in the section "Supportive Measures," but need not be nondisciplinary or nonpunitive and need not avoid burdening the respondent. (34 CFR 106.45)

## Disciplinary Actions

The district shall not impose any disciplinary sanctions or other actions against a respondent, other than supportive measures as described above in the section "Supportive Measures," until the complaint procedure has been completed and a determination of responsibility has been made. (34 CFR 106.44)

When an employee is found to have committed sexual harassment or retaliation, the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Report)

(cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4119.11/4219.11/4319.11 - Sexual Harassment) (cf. 4218 - Dismissal/Suspension/Disciplinary Action)

## Record-Keeping

The Superintendent or designee shall maintain, for a period of seven years: (34 CFR 106.45)

1. A record of all reported cases and Title IX investigations of sexual harassment, any determinations of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary sanctions imposed, any remedies provided to the complainant, and any appeal or informal resolution and the results therefrom.
2. A record of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment, including the district's basis for its conclusion that its response was not deliberately indifferent, the measures taken that were designed to restore or preserve equal access to the education program or activity, and, if no supportive measures were provided to the complainant, the reasons that such a response was not unreasonable in light of the known circumstances.
3. All materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process. The district shall make such training materials publicly available on its web site, or if the district does not maintain a web site, available upon request by members of the public.

(cf. 1113 - District and School Web Sites) (cf. 3580 - District Records)

#### **(F) School-wide Dress Code Relating to Gang-Related Apparel (EC 35183)**

Regulation 5132.16: Student Dress Guidelines

Original Adopted Date: 06/27/1995 | Last Revised Date: 01/29/2002 | Last Reviewed Date: 01/29/2002

The Governing Board feels that there is nothing inherently wrong with dress or color of dress, but when student's dress serves to intimidate or impede the rights of other students it will be determined that dress is in violation of this policy. A student may not remain at school dressed in a manner which (1) creates a safety hazard for said student or for other students at school, and/or (2) when the dress constitutes a serious and unnecessary distraction to the learning process or tends to disrupt campus order.

When the site administrator/designee determines that a student's attire is in violation of this policy, the student will be required to modify his/her clothing and/or apparel in such a manner that it no longer violates this policy. If necessary, the student may be taken or sent home with parental permission to modify unacceptable dress and return to school. Refusal to take steps as described in this policy shall be cause for disciplinary action against the student. Any such disciplinary action shall be handled pursuant to existing student disciplinary policy.

Parents/guardians have primary responsibility to see that students are properly attired for school. School district personnel have the responsibility for maintaining proper and appropriate conditions conducive to learning. Hence, the following guidelines will be implemented in all district schools.

Shoes will be worn at all times. A substantial sole is required and enclosed toe and heel footwear are highly encouraged.

Extremely brief garments that are distracting to the educational environment are not appropriate. Clothing shall be sufficient to conceal undergarments at all times.

Clothing or accessories shall be free of writing, pictures or any other insignia which are crude, violent, obscene or sexually suggestive or which advocate racial, ethnic or religious prejudice or the use of tobacco, drugs or alcohol.

Earrings, jewelry, or accessories which present a safety hazard to the wearer or others are not suitable for school wear.

Only prescription sunglasses may be worn in class. Other types of sunglasses may be worn on campus outside of class.

Identified gang attire such as bandannas, haircuts or hair rollers, or any gang paraphernalia are prohibited.

Students are allowed to wear sun protective clothing, including hats, while outdoors during the school day.

The purpose of adopting these Student Dress Guidelines is not to infringe on any individual student's rights to freedom of expression, but rather to encourage students to dress appropriately and come to school properly prepared for participating in the educational process.

#### **Gang-Related Apparel**

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed as needed and updated as necessary.

**(G) Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School (EC 35294.2)**

The immediate area around the school includes residential areas, as well as small businesses, fast food restaurants, retail stores and the downtown commerce area. Although the campus has fences and gates surrounding and throughout, plus safety protocols in place for visitors, present safety hazards include a relatively open campus with easy access to enter and exit the campus. In addition, Citrus Avenue is a thoroughfare for traffic which divides our campus into north and south quadrants, requiring hundreds of students to cross the street throughout the day in order to get to and from class. Student drop-off and pick-up are officially at the Citrus Avenue bus loop or the Terrier Gym Parking Lot however pick-up and drop-off is largely all around the perimeter of the school.

Upon arrival to school, students are to immediately come onto the campus through the designated entrances, and proceed to designated supervised areas. Under no circumstances are students to leave the closed campus to pick up friends, go to locations or businesses not affiliated with the school campus, or to loiter at the local fast food restaurants. Students who do not participate in after-school activities are to leave campus immediately. Students waiting for rides home or district/city busses should wait in the designated pickup areas located on both north and south campuses. Walkers are encouraged to head home immediately after their last class of the day, and not loiter on campus or at the local fast food restaurants.

Parents are not allowed to enter the staff parking lots to drop off or pick up students.

Redlands High School is a closed campus. Students must stay on campus from the time of arrival in the morning, during lunch, and after school while waiting for the bus/parent. Students may leave campus during school hours if a written request from a parent or guardian has been approved through the attendance office. The request must state time, date and the reason for leaving campus. An attendance clerk or other staff member will issue an OFF-CAMPUS PASS once a request is approved by the principal or principal designee. Off-campus passes are not issued to students so that they can leave for lunch downtown. Under no circumstances should a student leave campus without written permission from the principal or principal designee. Parents and guardians must check in at the office in order to pick up students who are leaving campus. Only parents and guardians and those persons listed on a student's emergency contact information in Aeries and with a valid ID can sign for a student leaving campus. Siblings under 18 years of age may not sign a student out.

**(H) A Safe and Orderly School Environment Conducive to Learning (EC 35294.2)**

## Physical Environment

### The Schools' Location and Physical Environment

Redlands Senior High School is located in the Redlands area of San Bernardino County that has an average crime rate and 11.9% poverty level. The immediate area round the school includes residential areas, as well as, small businesses, fast food restaurants and retail stores. Present safety hazards include an open campus with easy access to enter and exit the campus. In addition, Citrus Avenue is a thoroughfare for traffic which divides our campus, requiring students to cross the street throughout the day in order to get to class and a parking lot on the North side of Central Avenue which the students must also cross..

### Description of School Grounds

The school site encompasses sixty-five acres. The grounds are grass, concrete and asphalt and includes basketball and volleyball courts, baseball diamonds and a lined track. There are several wings and/or clusters of classrooms including 124 classrooms and 17 re-locatable classrooms. Other ancillary structures include two large auditoriums, a football stadium, two swimming pools, three locker rooms, two gyms, and Terrier Hall cafeteria.

Upon arrival to school, students are to immediately come onto the campus through the designated entrances, and proceed to designated supervised areas. Under no circumstances are students to leave the closed campus to pick up friends, go to locations or businesses not affiliated with the school campus, or to loiter at the local fast food restaurants. Students who do not participate in after-school activities are to leave campus immediately. Students waiting for rides home or district/city busses should wait in the designated pickup areas located on both north and south campuses. Walkers are encouraged to head home immediately after their last class of the day, and not loiter on campus or at the local fast food restaurants.

Parents are not allowed to enter the staff parking lots to drop off or pick up students.

Redlands High School is a closed campus. Students must stay on campus from the time of arrival in the morning, during lunch, and after school while waiting for the bus/parent. Students may leave campus during school hours if a written request from a parent or guardian has been approved through the attendance office. The request must state the time, date, and the reason for leaving campus. An attendance clerk or other staff member will issue an OFF-CAMPUS PASS once the principal or principal designee approves a request. Off-campus passes are not issued to students so that they can leave for lunch downtown. Under no circumstances should a student leave campus without written permission from the principal or principal designee. Only parents and guardians and those persons listed on a student's emergency contact information in Aeries and with a valid ID can sign for a student leaving campus.

During the school day, staff members and administrators shall provide campus supervision. Identified problem areas receive increased supervision to reduce discipline, crime, or other school safety concerns.

It shall be the practice of Redlands High School to remove all graffiti from school property before pupils arrive to begin their school day. Other acts of vandalism are promptly addressed.

### Maintenance of School Buildings/Classrooms

The school's physical facility is well maintained and generally looks neat and clean. It was most recently painted beginning in 2003, and this is an ongoing process, as needed. Following a modernization project, the site was mostly renovated during the 2003-2004 year. District personnel periodically examine the school's physical facility and help eliminate obstacles to school safety. Additionally, health and fire department inspectors contribute to school safety.

The library recently received a complete modernization and is now the hub of technology, innovation, and discovery at Redlands High School.

### Internal Security Procedures

Redlands High School has established procedures in the following areas: California Safe School Assessment (CSSA) reporting procedures, suspension and expulsion procedures, inventory system, and the development and yearly update of a Disaster Readiness Plan. Regularly scheduled fire drills, lockdown drills, and disaster drills are conducted during each school year. For the past five years, Redlands High School, as well as Redlands Unified School District, has participated in the county-wide/state-wide Great California Shake Out.

Redlands High School crime statistics reflect the total number of crimes reported yearly. Redlands High School engages in the

following mitigating measures to support decreasing crime rates on campus:

- supervising of students by security officers and administration before school, during passing periods, during lunch, and after school
- responding to student reports regarding any criminal activity
- mediating with students
- contacting of parents
- utilizing disciplinary procedures
- working with Student Services and following the pre-expulsion and expulsion process
- working with the Redlands Police Department, specifically the RHS School Resource Officer
- meeting with Police Liaison
- utilizing surveillance cameras on campus

Redlands High School maintains a copy of the district's sexual harassment policy in the main office/principal's office, which is available upon request. The District's Sexual Harassment Policy contains dissemination plans, applicable definitions, reporting requirements, investigation procedures, enforcement regulations, and information about suspension and/or expulsion for sexual harassment of or by pupils. Additionally, a notice summarizing this sexual harassment policy appears in the Parent & Student Handbook. The parent student handbook is distributed at the beginning of each school year to all parents and pupils.

To ensure the safety of pupils and staff, all visitors to the campus, except pupils of the school and staff members, shall register immediately upon entering any school building or grounds when school is in session. District employees not assigned to Redlands High School shall wear appropriate identification badges while conducting business on campus.

Discipline procedures shall focus on finding the cause of problems and working with all concerned to reach the proper, lawful solutions. The school's discipline plan begins at the classroom level. Teachers shall use a visible classroom management plan to communicate classroom rules, promote positive pupil conduct, and reduce unacceptable conduct. Appropriate consequences are administered based on the seriousness of the pupil's misbehavior.

Pupil conduct standards and consequences for Redlands High School are described explicitly in this Comprehensive Schools Safety Plan, including (a) the adopted school discipline rules and procedures, (b) District Disciplinary Guidelines, and (c) the adopted school-wide dress code.

Pupils may be suspended, transferred to another school, or recommended for expulsion for certain acts. For specific student violations, the administration of Redlands High School shall submit a mandatory expulsion recommendation.

Site administrators contribute to a positive school climate, promote positive pupil behavior, and help reduce inappropriate conduct. The principal/designee uses available district and other appropriate records to inform teachers of each pupil identified under E.C. 49079.

Law enforcement is contacted and consulted to help maintain and promote a safe and orderly school environment. Redlands High School employees comply with all legal mandates, regulations, and reporting requirements for all instances of suspected child abuse.

If appropriate, additional internal security procedures affecting the integrity of the school facility include:

- working with staff regarding student conduct
- notifying teachers regarding student discipline and consequences
- yearly updating of Discipline and Attendance Handbook
- notifying Redlands Police Department of school crime such as controlled substance and weapons

Community involvement is encouraged to help increase school safety. Parents and students are informed of and encouraged to use the Sprigeo Hotline program, which allows anonymous reporting of crime.

#### Inventory System - Engraved ID, Security Storage

Most school-site equipment has a metal ID tag or a bar code sticker adhered to its surface. These items are inventoried annually, and an accountability system has been established. Office and classroom supplies are secured.

#### **Element:**

##### Goal 1:

Redlands High School will maintain a clean, safe and orderly environment.

#### **Opportunity for Improvement:**

##### I. Areas of Pride and Desired Improvements

###### a. Pride

1. RHS has put consistent and fair school discipline policies and procedures in place. This year, the Minga digital hall pass system has been implemented, to reduce the number of instructional minutes that students are missing when they leave class on a pass. This system allows the school to track which students are on passes, and to where, at any given time, should vandalism or an emergency take place in a restroom on campus. During the first week of school, students were trained on all school policies and procedures, including the Tardy Policy, the Hall Pass Policy, RUSD Sexual Harassment Policy, Dress Code, Academic Integrity Policy, and Minga Hall Pass.

2. Redlands High School has worked diligently to improve the physical plant by working to have the exterior portions of the campus painted, instituting plans to re-carpet several classrooms, rekeying all 1148 doors, and adding a fence with automatic rolling gates in order to add security to campus. In addition, the landscaping to the entire campus has been re-done, as well as the school library.

###### b. Areas of Desired Improvement

1. Disaster readiness procedures in place and improving disaster supplies including food and water.

2. To continue to work with students who feel bullied and use the RUSD forms and reporting system to work with these students and investigate reported incidents.

| Objectives                                                                                                                     | Action Steps                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Resources                                                                                                                                                                                                                                                                                                                                                               | Lead Person                                                                                                                                                                                                                                                                                                                                                                            | Evaluation                                                                                                                                                                                                                                                                                                                                      |
|--------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| II. Desired Change #1<br>Comprehensive Disaster Plan in place.                                                                 | <p>a. Related Strategies and Activities</p> <ol style="list-style-type: none"> <li>Continued training of staff regarding how to deal with difficult students and issues in the classroom.</li> <li>To continue the use of mediation, counseling and education of students regarding policies.</li> </ol>                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <p>b. Resources Required</p> <ol style="list-style-type: none"> <li>District Support</li> <li>Redlands Police Department support and collaboration</li> <li>Redlands Fire Department support and collaboration</li> <li>Campus Security Officers</li> </ol> <p>e. Budget</p> <ol style="list-style-type: none"> <li>N/A</li> <li>N/A</li> </ol>                         | <p>c. Personnel Assignments</p> <ol style="list-style-type: none"> <li>Redlands High School has seven full-time security officers and four part-time campus monitors.</li> <li>Teachers, counselors, and administrators refer cases for Peer Mediation.</li> </ol>                                                                                                                     | <p>f. Evaluation criteria</p> <ol style="list-style-type: none"> <li>School will be inspected annually for safety issues and areas that need maintenance.</li> <li>Safety Committee meetings are held bi-monthly.</li> </ol> <p>d. Timeframe for completion</p> <ol style="list-style-type: none"> <li>Monthly</li> <li>Annually</li> </ol>     |
| III. Desired Change #2<br>Clean and safe learning environment including trash, fencing and unauthorized individuals on campus. | <p>a. Related Strategies and Activities</p> <ol style="list-style-type: none"> <li>Staff training and education regarding readiness to respond to emergencies on campus, staff Stop the Bleed training and access in all classrooms to Stop the Bleed response equipment</li> <li>Updated locations, key count, and first responder access to all RHS Knox boxes in order to streamline response time to emergencies on campus.</li> <li>Redlands High School is updating how all emergency drills are conducted on campus to enhance student education and staff compliance with state and local drill requirements. This will include further staff training and use of Raptor Alerts app to improve staff communication during drills and emergencies.</li> </ol> | <p>b. Resources Required</p> <ol style="list-style-type: none"> <li>District Support</li> <li>Redlands Police Department support and collaboration</li> <li>Redlands Fire Department support and collaboration</li> </ol> <p>e. Budget</p> <ol style="list-style-type: none"> <li>PTSA allots a budget for emergency supplies.</li> <li>Donations and Grants</li> </ol> | <p>c. Personnel Assignments</p> <ol style="list-style-type: none"> <li>Redlands High School Incident Command Structure is updated as need to maintain accuracy.</li> <li>Redlands High School staff are trained on their roles in the event of an emergency on campus.</li> <li>Campus security officers are trained on their roles in the event of an emergency on campus.</li> </ol> | <p>f. Evaluation criteria</p> <ol style="list-style-type: none"> <li>Annual Evaluation</li> <li>Staff input and feedback</li> </ol> <p>d. Timeframe for completion</p> <ol style="list-style-type: none"> <li>All reports are updated and revised annually.</li> <li>Procedures are reviewed after each drill and revised as needed.</li> </ol> |

**Component:**

School Climate

Comprehensive School Safety Plan



### The School's Social Environment

Leadership at Redlands Senior High School is a shared process. A proactive role is assumed in all phases of the school operation. The current management team is committed to developing Redlands High School toward excellence in the areas of academic and social behavior.

The principal sets a positive tone for the school, guides the staff, and works closely with them on curriculum and school safety issues. The school site's organizational structure is open and flexible, contributing to sensitivity concerning school safety issues and promoting a safe, orderly school environment conducive to learning.

### Disaster Readiness Procedures, Routine and Emergency

A contingency plan for emergencies is contained in a handbook available to each staff member. The District's Emergency Response Plan (ERP Plan) is listed in the last section of this plan. The plan is reviewed at the beginning of each school year. This plan also contains available district and outside agency resources, emergency disaster procedures, and information on the Standardized Emergency Management System (SEMS).

### Classroom Organization and Structure

Redlands High School teachers provide a varied learning environment in their classrooms. Teachers use a variety of teaching strategies, including research-based instruction, positive connections with students, positive classroom management strategies, content literacy, AVID strategies, processing strategies, comprehension checks, the use of graphic organizers, structured group work, advance organizers, articulation of clear expectations and feedback, bell to bell instruction, engaging and supporting students in their learning, and adhering to the California Standards for the Teaching Profession. The third period is five minutes longer than other periods, Tuesday-Friday every week, allowing all students to be kept informed about important RHS information and provide mini-instruction to students on a variety of topics, varying from learning the RUSD Sexual Harassment policy to being provided video presentations from our local police department on the dangers of fentanyl, to See Something, Say Something education.

The teachers at Redlands Senior High School are highly qualified, with many holding advanced degrees. The staff is united in their desire to provide quality education for all pupils. Classrooms and teachers provide a safe, orderly learning environment, enhance the learning experience, and promote positive interactions among pupils and staff. Instructional time is maximized, and disruptions are minimized.

### The School's Cultural Environment

There is a high level of cohesiveness among the staff members at Redlands Senior High School. Cooperation and support between teachers and the administration are evident. The administration and staff make efforts to show concern for all pupils.

All pupils are expected to behave in a manner that promotes safety and order. Pupils are encouraged to bring problems to the principal, assistant principal, counselor, teacher, or other staff members. The staff's goal is to be proactive rather than reactive in all situations of concern.

The academic and behavioral efforts of pupils are recognized and rewarded.

Cultural diversity is celebrated throughout the year by providing students with the opportunity to join or participate in organized clubs on campus, such as Mecha, Desi Club, Femme Club, Anime Club, Black Student Union, Filipino American Society, Gay-Straight Alliance Club, Spanish Club, the French Club, Middle Eastern Club, the International Club, and the Spanish Club.

### **Element:**

#### **Goal 2:**

Ensuring a safe and orderly learning environment

### **Opportunity for Improvement:**

#### **I. Areas of Pride and Desired Improvements**

##### **a. Pride**

##### **1. Redlands High School students overall take pride in their campus and their school**

2. Redlands High School staff is committed to a safe, comfortable, accepting learning environment for all students.

b. Areas of Desired Improvement

1. Suspension/Expulsion Rates

2. Student and family connectedness

| Objectives                                                                                      | Action Steps                                                                                                                                                         | Resources                                                                                                                                                                                        | Lead Person                                                                                                                                                                                                                                                          | Evaluation                                                                                                                                                         |
|-------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| II. Desired Change #1<br>Decline in Suspension and Expulsion Rates                              | a. Related Strategies and Activities<br>1. Use other means of correction prior to suspensions being issued.<br>2. Socio-emotional learning during instructional time | b. Resources Required<br>1. Training to implement other means of correction effectively.<br>2. Continued training and support of Socio-emotional learning.<br>e. Budget<br>1. District supported | c. Personnel Assignments<br>1. Four administrators, seven counselors and over 100 teachers to support Socio-Emotional learning<br>2. Seven full-time and four part-time safety officers, four administrators and six counselors to provide other means of correction | f. Evaluation criteria<br>1. Suspension/expulsion rates<br>2. Student surveys<br>d. Timeframe for completion<br>1. Monthly<br>2. Annually                          |
| III. Desired Change #2<br>Increase students who report that they feel safe and connected to RHS | a. Related Strategies and Activities<br>1. Discrimination Reporting Form/process<br>2. Student Equity Steering Committee                                             | b. Resources Required<br>1. none<br>e. Budget<br>1. none                                                                                                                                         | c. Personnel Assignments<br>1. Safety officers, administration<br>2. Terriers for Justice advisors                                                                                                                                                                   | f. Evaluation criteria<br>1. Quarterly student surveys<br>2. Number of reported incidents of discrimination<br>d. Timeframe for completion<br>1. 24-25 school year |

**(I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5)**

**Redlands Senior High School Student Conduct Code**

Procedures to Ensure a Safe and Orderly Environment

Rules and Procedures on School Discipline

Philosophy of Discipline

- Behavior expectations and the consequences for not meeting expectations must be clearly communicated to all students and their parents (in writing as well as verbally).
- The severity of consequences for violating behavior expectations increases with each incident of inappropriate behavior.
- The consequences for violating behavior expectations should be severe enough to discourage students from making poor behavior decisions.
- Expectations and consequences should permit students an opportunity to eliminate inappropriate behavior.

## Conduct Code Procedures

### **(K) Hate Crime Reporting Procedures and Policies**

#### Policy 5145.3: Nondiscrimination/Harassment

The Governing Board desires to provide a safe school environment that allows all students equal access to and opportunities in the district's academic, extracurricular, and other educational support programs, services, and activities. The Board prohibits, at any district school or school activity, unlawful discrimination, including discriminatory harassment, intimidation, and bullying targeted at any student, by anyone, based on the student's actual or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital or parental status, pregnancy, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression or genetic information; or association with a person or group with one or more of these actual or perceived characteristics.

(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 constituting unlawful discrimination or harassment 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 one of the categories listed above. Unlawful discrimination also occurs when prohibited conduct is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects a student's educational opportunities.

Unlawful discrimination also includes disparate treatment of students based on one of the categories above with respect to the provision of opportunities to participate in school programs or activities or the provision or receipt of educational benefits or services.

The Board also prohibits any form of retaliation against any individual who reports or participates in the reporting of unlawful discrimination, files or participates in the filing of a complaint, or investigates or participates in the investigation of a complaint or report alleging unlawful discrimination. Retaliation complaints shall be investigated and resolved in the same manner as a discrimination complaint.

The Superintendent or designee shall facilitate students' access to the educational program by publicizing the district's nondiscrimination policy and related complaint procedures to students, parents/guardians, and employees. In addition, the Superintendent or designee shall post the district's policies prohibiting discrimination, harassment, intimidation, and bullying and other required information on the district's web site in a manner that is easily accessible to parents/guardians and students, in accordance with law and the accompanying administrative regulation.

The Superintendent or designee shall provide training and/or information on the scope and use of the policy and complaint procedures and take other measures designed to increase the school community's understanding of the requirements of law related to discrimination. The Superintendent or designee shall regularly review the implementation of the district's nondiscrimination policies and practices and, as necessary, shall take action to remove any identified barrier to student access to or participation in the district's educational program. The Superintendent or designee shall report the findings and recommendations to the Board after each review.

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 1330 - Use of Facilities)  
(cf. 4131/4231/4331 - Staff Development)  
(cf. 6145 - Extracurricular and Cocurricular Activities)  
(cf. 6145.2 - Athletic Competition)  
(cf. 6164.2 - Guidance/Counseling Services)

Regardless of whether a complainant complies with the writing, timeline, and/or other formal filing requirements, all complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, shall be investigated and prompt action taken to stop the discrimination, prevent recurrence, and address any continuing effect on students.

Students who engage in unlawful discrimination, including discriminatory harassment, intimidation, bullying, or retaliation, 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. School personnel shall take immediate steps to intervene, when safe to do so, whenever site personnel witness an act of discrimination, harassment, intimidation, or bullying. Any employee who permits or engages in prohibited discrimination, including discriminatory harassment, intimidation, bullying, or retaliation, shall be subject to disciplinary action, up to and including dismissal.

(cf. 4118 - 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)

Policy REDLANDS UNIFIED SCHOOL DISTRICT  
adopted: June 27, 1995 Redlands, California  
revised: May 27, 2014  
revised: September 13, 2017  
revised: December 11, 2019  
revised: January 12, 2022

#### **(J) Procedures to Prepare for Active Shooters**

Stage 3 Protocols and Procedures:

**Level 1 Safe & Secure Emergency:** A security procedure used to reduce student and staff movement outside school buildings. This may be due to a medical emergency, area disturbance, missing student, etc. It is designed to allow for school to carry forward but have the ability to move to Lockdown quickly if needed. During the Safe & Secure mode, there is heightened vigilance on campus by all school staff. Outdoor student activities will be ended, and students will be moved inside. Parents/guardians can have access to their student(s) and may check them out of school if they see fit to do so.

**Signal:** Staff will be notified via the campus PA system, Raptor Alert, and RUSD email.

#### **What To Do:**

Staff/Teachers should ensure that the door to their workspace/classroom is locked and windows are closed and locked. Teachers should continue teaching as normal.

Allow students restroom use with clear administrator/ teacher direction on how to do so safely.  
Increased available staff presence during passing periods and student dismissal  
Lunch/activities in more secure area, unless site admin decides otherwise  
Standard inclement weather schedule/routine in place, unless site administrator/designee decides otherwise  
Perimeter gates, where applicable, will be locked and monitored by available staff, allowing for central access points  
PE classes will be moved off all fields into more secure locations (e.g., gym, class, & MPR)

All Clear: The release and all clear will be given via the campus PA system, Raptor Alert, and RUSD email with instructions to release students to their next period/class as necessary.

Level 2 Lockdown Emergency: Is called when a law enforcement event is happening in the vicinity of a school or there is a campus intruder. The law enforcement agency generally, but not always, contacts the school/district to encourage the school site to Lock Down as a precautionary measure. All Administrators are expected to place their school in Lockdown in this scenario.

Signal: Staff will be notified via the campus PA system, Raptor Alert, and RUSD email.

What to Do:

Take a look outside of the classroom or workspace and gather up any stray students in the hallways.  
If students are outside of the classroom with a teacher or staff member, quickly move them to a nearby secure building and follow the same procedures as those in classrooms or workspaces.  
Staff/Teachers should ensure that the door to their workspace/classroom is locked and windows are closed, locked and blinds are closed (if available).  
Project a calm demeanor to help students remain calm.  
Reassure students that they are safe.  
Do not allow anyone to leave the classroom or workspace.  
Frequently check your Raptor Alert app and RUSD email for possible updates from site administrators. These will be given as soon as possible. Please do not call the switchboard or office to ask for an update. Phones must be kept free for emergency communication.  
Have all students immediately silence all cell phones, and cease using all social media applications, recording devices, and online communication platforms. Students may only use their cell phones to quietly text parents/guardians if it is deemed safe to do so by the teacher.  
Students and staff must understand that unnecessary noise, distractions, or posting of information of any kind on social media could further escalate the danger of the situation and lead to individuals being harmed and/or loss of life.

All Clear: DO NOT OPEN CLASSROOM OR WORKSPACE DOORS, OR EXIT A SAFE LOCATION UNDER ANY CIRCUMSTANCES. The release and all clear will happen as follows: A security officer or administrator will physically unlock your door and give you a verbal all clear. All students will continue to remain in class until ALL classes are given the all clear by a security officer or administrator. An all call, Raptor Alert notification, and email will then follow to release students to their next period or location as necessary.

Level 3 Critical Alert Emergency: is called when a significant, threatening event is happening on campus or adjacent to campus that creates a potential danger to students and staff. While this may be communicated to the school by law enforcement, it may also be determined by school officials on the scene. Critical Alert assumes that everyone is prepared for a potential significant threat/event on campus.

Signal: Staff may be notified by the sounds associated with the incident itself, or they may be notified via the campus PA system or Raptor Alert.

What To Do:

Implement all items from the Lockdown Emergency listed above.  
Turn off all lights so it will appear that the room is vacant.  
Keep all students sitting on the floor, away from the door or windows.  
Close/cover ALL windows.  
Advise the students that there is a serious situation, but you don't know what it is.

Project a calm demeanor to help students remain calm and reassure students that they are safe.  
Have all students/staff immediately silence all cell phones, and cease using all social media applications, recording devices, and online communication platforms. Students/staff may only use their cell phones to quietly text parents/guardians if it is deemed safe to do so by the teacher.  
Students and staff must understand that unnecessary noise, distractions, or posting of information of any kind on social media could further escalate the danger of the situation and lead to individuals being harmed and/or loss of life.  
Keep the room as quiet as possible for the duration of the incident.  
Do not call the office. Everyone on campus will be dealing with the incident in a similar manner and will not be able to answer calls. Doing so may put them at risk of harm.  
Deal with all emergencies at your location to the best of your ability.  
Utilize emergency supplies in your Emergency Backpack as needed.  
Quietly take roll and make a list of missing students/staff and add any extra students that are in your room.  
Email or send via Raptor the list above to your administrators and school site secretaries.  
Include information about any serious injuries sustained by students/staff.  
Do not open the door, even if someone knocks and claims to be an administrator, security office, or first responder.  
Do not evacuate students, even if the fire alarm goes off.  
If students are out on the athletic fields, do not have them return to the locker room. Move them to a safe place using your best judgment (ex: the farthest corner of the campus).

All Clear: DO NOT OPEN CLASSROOM OR OFFICE DOORS, OR EXIT A SAFE LOCATION UNDER ANY CIRCUMSTANCES. The release and all clear will happen as follows: A law enforcement officer, RHS/RUSD security officer, or RHS/RUSD administrator will physically unlock your door and give you a verbal all clear. All students and staff will then proceed as directed by the same official.

### **Procedures for Preventing Acts of Bullying and Cyber-bullying**

Policy 5131.2: Bullying

Original Adopted Date: 12/10/2019 | Last Reviewed Date: 12/10/2019

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, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any other student or school personnel, or retaliate against them for filing a complaint or participating in the complaint resolution process.

The Superintendent or designee shall develop strategies for addressing bullying in district schools with the involvement of students, parents/guardians, and staff. As appropriate, the Superintendent or designee may also collaborate with social services, mental health services, law enforcement, courts, and other agencies and community organizations in the development and implementation of effective strategies to promote safety in schools and the community.

Such strategies shall be incorporated into the comprehensive safety plan and, to the extent possible, into the local control and accountability plan and other applicable district and school plans.

Any complaint of bullying shall be investigated and, if determined to be discriminating, resolved in accordance with law and the district's uniform complaint procedures specified in AR 1312.3 - Uniform Complaint Procedures. If, during the investigation, it is determined that a complaint is about nondiscriminatory bullying, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

Any employee who permits or engages in bullying or retaliation related to bullying shall be subject to disciplinary action, up to and including dismissal.

### **Definitions**

Bullying is an unwanted, aggressive behavior that involves a real or perceived imbalance of power between individuals with the intent to cause emotional or physical harm. Bullying can be physically, verbally, or socially/relationally harmful and involves repetition or potential repetition of a deliberate act. Bullying can involve intimidation and coercion.

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. Cyberbullying can be harmful to the online reputations of everyone involved, including the person who is cyberbullying and those participating in it.

Examples of the types of conduct that may constitute bullying and are prohibited by the district include, but are not limited to: Physical bullying that inflicts harm upon a person's body or possessions, such as hitting, kicking, pinching, spitting, tripping, pushing, taking or breaking someone's possessions, or making cruel or rude hand gestures

Verbal bullying that includes saying or writing hurtful things, such as teasing, name-calling, inappropriate sexual comments, taunting, or threats to cause harm

Social/relational bullying that harms a person's reputation or relationships, such as leaving a person out of an activity on purpose, influencing others not to be friends with someone, spreading rumors, or embarrassing someone in public

Cyberbullying, such as sending demeaning or hateful text messages or emails, sending or spreading online rumors by email or by posting them on social networking sites or apps, posting embarrassing or explicit photos or videos online or on apps, or creating fake profiles can also be considered cyberbullying.  
Measures to Prevent Bullying

The Superintendent or designee shall implement measures to prevent bullying in district schools, including, but not limited to, the following:

Ensuring that each school establishes clear rules for student conduct and implements strategies to promote a positive, collaborative school climate

Providing to students, through student handbooks and other age-appropriate means, information about district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for engaging in bullying

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

Annually notifying district employees that, pursuant to Education Code 234.1, any school staff who witnesses an act of bullying against a student has a responsibility to immediately intervene to stop the incident when it is safe to do so  
Staff Development

The Superintendent or designee shall make the California Department of Education's online training module on the dynamics of bullying and cyberbullying, which includes the identification of bullying and cyberbullying and the implementation of strategies to address bullying, available annually to all certificated staff and to other employees who have regular interaction with students. (Education Code 32283.5)

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:

Discuss the diversity of the student body and school community, including their varying immigration experiences

Discuss bullying prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims

Identify the signs of bullying or harassing behavior

Take immediate corrective action when bullying is observed

Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior  
Student Instruction

As appropriate, the district shall provide students with instruction, in the classroom or other educational settings, that promotes social-emotional learning, effective communication and conflict resolution skills, character/values education, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.

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.

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 or designee 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.

When appropriate based on the severity or pervasiveness of the bullying, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators and may contact law enforcement.

The Superintendent, principal, or principal's designee may refer a victim, witness, perpetrator, or other student affected by an act of bullying to a school counselor, school psychologist, social worker, child welfare attendance personnel, school nurse, or other school support service personnel for case management, counseling, and/or participation in a restorative justice program as appropriate. (Education Code 48900.9)



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.

## Safety Plan Review, Evaluation and Amendment Procedures

Policy and Regulation 0450: Comprehensive Safety Plan

Original Adopted Date: 10/28/1997 | Last Revised Date: 01/17/2006

The Governing Board recognizes that students and staff have the right to a safe and secure campus where they are free from physical and psychological harm. The Board is fully committed to maximizing school safety and to creating a positive learning environment that teaches strategies for violence prevention and emphasizes high expectations for student conduct, responsible behavior, and respect for others.

(cf. 5131 - Conduct)

The school site council at each district school shall write and develop a comprehensive school safety plan relevant to the needs and resources of that particular school. (Education Code 32281)

(cf. 0420 - School Plans/Site Councils)

(cf. 1220 - Citizen Advisory Committees)

The school safety plan shall take into account the school's staffing, available resources and building design, as well as other factors unique to the site.

Each school shall review and update its safety plan by March 1 of each year. New school campuses shall develop a safety plan within one year of initiating operations. (Education Code 32286)

(cf. 0510 - School Accountability Report Card)

Each school shall forward the safety plan to the Board for approval. (Education Code 32288)

The Board shall review the comprehensive districtwide and/or school safety plan(s) in order to ensure compliance with State law, Board Policy and Administrative Regulation.

The Board shall approve the plan at a regularly scheduled meeting and the adoption of the plan shall not be a consent item. At a minimum, the Board shall discuss both of the following: (Education Code 35294.22)

1. How the safety plan addresses the needs of each school and students within that school.
2. How the school site council or safety planning committee, when writing the plan, considered the "three essential components" described in Education Code 35294.21, including assuring each student a safe physical environment; assuring each student a safe, respectful, accepting, and emotionally nurturing environment; and developing each student's resiliency skills.

(cf. 9322 - Agenda/Meeting Materials)

3. The Superintendent or designee shall ensure that an updated file of all safety-related plans and materials is readily available for inspection by the public. (Education Code 32282)

(cf. 1340 - Access to District Records)

By October 15 of each year, the Superintendent or designee shall notify the California Department of Education of any schools that have not complied with the requirements of Education Code 32281. (Education Code 32288)

(cf. 1312.3 - Uniform Complaint Procedures)

## Development and Review of School Site Safety Plan

In writing and developing the comprehensive school safety plan, the school site council shall consult with local law enforcement as well as other school site councils and safety committees, when practical. (Education Code 32281, 32282)

(cf. 0420 - School Plans/Site Councils)

In addition, the school site council may consult with other local agencies as appropriate, including health care and emergency service providers.

The school site council may delegate the responsibility for writing and developing a school safety plan to a school safety planning committee. This committee shall be composed of the following members. (Education Code 32281)

1. The principal/designee.
2. One teacher who is a representative of the recognized certificated employee organization.
3. One parent/guardian whose child attends the school.
4. One classified employee who is a representative of the recognized classified employee organization.
5. Other members, if desired.

Before adopting its comprehensive school safety plan, the school site council or school safety planning committee shall hold a public meeting at the school in order to allow members of the public the opportunity to express an opinion about the school safety plan. (Education Code 32288).

The school site council or safety planning committee shall notify, in writing, the following persons and entities of the public meeting. (Education Code 32288)

1. The local mayor.
2. A representative of the local school employee organization.
3. A representative of each parent organization at the school site, including the parent teacher association and parent teacher clubs.

(cf. 1230 - School-Support Organizations)

4. A representative of each teacher organization at the school site.
5. A representative of the student body government.
6. All persons who have indicated that they want to be notified.

(cf. 4140/4240 - Organizations/Units)

In addition, the school site council or safety planning committee may notify, in writing, the following entities of the public meeting. (Education Code 32288)

1. A representative of the local churches.
2. Local civic leaders.
3. Local business organizations.

(cf. 1220 - Citizen Advisory Committees)

(cf. 1700 - Relations between Private Industry and the Schools)

The school site council or safety planning committee may consider incorporating into the plan the following "three essential components" and/or the strategies recommended in Education Code 35294.21:

1. Assuring each student a safe physical environment.
2. Assuring each student a safe, respectful, accepting, and emotionally, nurturing environment.
3. Developing each student's resiliency skills.

#### Content of the Safety Plan

The districtwide and/or school site safety plan shall include an assessment of the current status of school crime committed on campus and at school-related functions. (Education Code 32282)

The plan also shall identify appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety and shall include the development of all of the following. (Education Code 32282)

1. Child abuse reporting procedures consistent with Penal Code 11164

(cf. 5141.4 - Child Abuse and Neglect and Reporting Procedures)

2. Routine and emergency disaster procedures including, but not limited to:

a. Adaptations for students with disabilities in accordance with the Americans with Disabilities Act.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 6159 - Individualized Education Program)

b. An earthquake emergency procedure system in accordance with Education Code 32282.

c. A procedure to allow a public agency, including the American Red Cross, to use school buildings, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare.

(cf. 1330 - Civic Center Act Policy)

(cf. 3543 - Transportation Safety and Emergencies)

3. Policies pursuant to Education Code 48915(c) and other school-designated serious acts which would lead to suspension, expulsion, or mandatory expulsion recommendations.

(cf. 5131.7 - Weapons and Dangerous Instruments)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

4. Procedures to notify teachers of dangerous students pursuant to Education Code 49079.

5. A discrimination and harassment policy consistent with the prohibition against discrimination pursuant to Education Code 200-262.4.

(cf. 4019.11 - Sexual Harassment)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

6. If the school has adopted a dress code prohibiting students from wearing "gang related apparel," the provisions of that dress code and the definition of "gang-related apparel."

(cf. 5132 - Student Dress and Guidelines)

7. Procedures for safe ingress and egress of students, parents/guardians, and employees to and from school.

8. A safe and orderly school environment conducive to learning.

(cf. 5131 - Conduct)

(cf. 5137 - Positive School Climate)

9. The rules and procedures on school discipline adopted pursuant to Education Code 35291 and 35291.5.

(cf. 5144 - Discipline)

10. Hate crime reporting procedures pursuant to Penal Code 628-628.6

Among the strategies for providing a safe environment, the school safety plan may also include:

1. Development of a positive school climate that promotes respect for diversity, personal and social responsibility, effective interpersonal and communication skills, self-esteem, anger management, and conflict resolution.

(cf. 6141.2 - Recognition of Religious Beliefs and Customs)

2. Disciplinary policies and procedures that contain prevention strategies, such as strategies to prevent bullying and hazing, as well as behavioral expectations and consequences for violations.

(cf. 4218/4318 - Dismissal/Suspension/Demotion and Disciplinary Action)

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Truancy)

(cf. 5136 - Gangs)

3. Curriculum that emphasizes prevention and alternatives to violence, such as multicultural education, character/values education, media analysis skills, conflict resolution, and community service learning.

(cf. 6141.6 - Multicultural Education)

4. Parent involvement strategies, including strategies to help ensure parent/guardian support and reinforcement of the school's rules and increase the number of adults on campus.

(cf. 1240 - Volunteers)

(cf. 6020 - Parent Involvement)

5. Prevention and intervention strategies related to the sale or use of drugs and alcohol which shall reflect expectations for drug-free schools and support for recovering students.

(cf. 5131.6 - Tobacco, Alcohol and Other Drugs)

(cf. 5131.62 - Tobacco)

6. Collaborative relationships among the city, county, community agencies, local law enforcement, the judicial system and the schools that lead to the development of a set of common goals and community strategies for violence prevention instruction.

(cf. 1020 - Youth Services)

7. Procedures for responding to the release of a pesticide or other toxic substance from properties located within one-quarter mile of the school.

(cf. 3514.1 - Hazardous Substances)

(cf. 3514.2 - Safety Practices)

8. Procedures for receiving verification from law enforcement that a violent crime has occurred on school grounds and for promptly notifying parents/guardians and employees of that crime.

9. Assessment of the school's physical environment, including a risk management analysis and development of ground security measures such as procedures for the closing of campuses to outsiders, securing the campus perimeter, protecting buildings against vandalism, and providing for a law enforcement presence on campus.

(cf. 1250 - Visitors/Outsiders)

(cf. 3515.3 - Campus Supervisor Uniforms)

(cf. 3530 - Risk Management/Insurance)

(cf. 5131.5 - Vandalism)

10. Crisis prevention and intervention strategies, which may include the following:

a. Identification of possible crises that may occur, determination of necessary tasks that need to be addressed, and development of procedures relative to each crisis, including the involvement of law enforcement and other public safety agencies as appropriate.

(cf. 3515.2 - Intruders on Campus)

(cf. 5131.4 - Campus Disturbances)

b. Assignment of staff members responsible for each identified task and procedure.

c. Development of an evacuation plan based on an assessment of buildings and grounds and opportunities for students and staff to practice the evacuation plan.

d. Coordination of communication to schools, Governing Board members, parents/guardians, and the media.

(cf. 1112 - Media Relations)

(cf. 9010 - Public Statements)

e. Development of a method for the reporting of violent incidents.

f. Development of follow-up procedures that may be required after a crisis has occurred, such as counseling.

g. Staff training in violence prevention and intervention techniques, including preparation to implement the elements of the safety plan

(cf. 4131/4231/4331 - Staff Development)

Safety Plan Review, Evaluation and Amendment Procedures

| Activity Description<br>(i.e. review steps, meetings conducted, approvals, etc)                                     | Date and Time     | Attached Document<br>(description and location) |
|---------------------------------------------------------------------------------------------------------------------|-------------------|-------------------------------------------------|
| RHS Safety Committee Meeting to review and approve the Comprehensive Site Safety Plan for the 2024-2025 school Year | 10/2/24 at 3:30pm |                                                 |



## **Emergency Response Guidelines**

### **Step One: Identify the Type of Emergency**

All steps are outlined by type of emergency in the Redlands High School Emergency Readiness Guide.

### **Step Two: Identify the Level of Emergency**

### **Step Three: Determine the Immediate Response Action**

### **Step Four: Communicate the Appropriate Response Action**

## **Types of Emergencies & Specific Procedures**

### **Earthquake**

#### **Earthquake Emergency**

Staff should follow the evacuation routes as described on the RHS Earthquake Evacuation maps provided in each classroom and office.

In the event of an earthquake, the school will need to declare a Stage 2 Emergency and implement the following procedures:

What to Do:

- 1) Drop, Cover, and Hold - Teachers should discuss this with their students before drills in anticipation of a major earthquake. Flyers are provided to demonstrate appropriate technique.
- 2) Line Up - When the tremors subside and the staff member believes it is safe to begin the evacuation process, they should direct their students to walk to the door to form an orderly line for evacuation purposes.
- 3) Evacuate - Do not wait for an all-call system, as the school will likely have lost power. Staff should use their own judgment or listen for directions. Students should move to the designated Earthquake Emergency Evacuation Area in a silent, straight line.

When leaving their classroom, staff should follow these steps:

Bring their attendance roster, emergency backpack, and bucket.

Leave your classroom door OPEN.

Take attendance using the Emergency Status Report form once they are safely away from the building.

Hold their Emergency Status Report form until it is picked-up by a student runner.

- 4) All Clear - The "All Clear" notification will be given by an RHS administrator via bullhorn/portable speaker or student runners, and will include instructions on how/where teachers and their students should proceed next.

### **Fire in Surrounding Area**

#### **Fire In Surrounding Area: Stage 1 Emergency Protocols and Procedures**

In the event of an actual fire near a classroom or workspace, the following should be accomplished:

Pull the fire alarm in your building to institute a Stage 1 evacuation.

Evacuate the classroom or workspace (and concurrently report if safe to do so via the Raptor Alert app to notify RHS Administration, the RHS Safety team and RHS staff).

Call 911 and report the emergency. Be sure to include accurate information about location on campus.

All staff should follow the evacuation routes as described on the RHS Fire Evacuation map.

If the fire continues to grow despite best efforts, get as far away as possible, even if that means exiting campus.

Stay aware and alert for further instruction via school PA system, the Raptor Alert app, or RUSD email.

What to Do In The Presence of Students:

- 1) Explain - Explain to students what the horn or announcement means.
- 2) Line Up - Ask students to walk to the door to form an orderly line for evacuation purposes.
- 3) Evacuate - Students should move to the designated evacuation area in a silent, straight line.

When leaving the classroom/workspace, please follow these steps:

Bring attendance roster and emergency backpack.

Shut classroom/workspace door.

Evacuate to the appropriate Stage 1 evacuation area.

Take attendance using the Emergency Status Report once safely away from the building. Please include name and include whether the missing students were absent that day, or did not arrive at the evacuation site.

Hold attendance form until it is picked-up by a student runner.

- 4) All Clear - The "All Clear" notification will be given by an RHS administrator via the school PA system, the Raptor Alert app, or RUSD email, and will include instructions on how/where teachers, staff and students should proceed next.

Small fires can be put out with the fire extinguisher. Use the PASS method.

Pull the pin to activate the extinguisher.

Aim at the base of the fire.

Squeeze the trigger to discharge.

Sweep the extinguisher from side to side.

## **Fire on School Grounds**

Fire In the Classroom: Stage 1 Emergency Protocols and Procedures

In the event of an actual fire in a classroom or workspace, the following should be accomplished:

Pull the fire alarm in your building to institute a Stage 1 evacuation.

Evacuate the classroom or workspace (and concurrently report if safe to do so via the Raptor Alert app to notify RHS Administration, the RHS Safety team and RHS staff).

Call 911 and report the emergency. Be sure to include accurate information about location on campus.

All staff should follow the evacuation routes as described on the RHS Fire Evacuation map.

If the fire continues to grow despite best efforts, get as far away as possible, even if that means exiting campus.

Stay aware and alert for further instruction via school PA system, the Raptor Alert app, or RUSD email.

What to Do In The Presence of Students:

- 1) Explain - Explain to students what the horn or announcement means.
- 2) Line Up - Ask students to walk to the door to form an orderly line for evacuation purposes.
- 3) Evacuate - Students should move to the designated evacuation area in a silent, straight line.

When leaving the classroom/workspace, please follow these steps:

Bring attendance roster and emergency backpack.

Shut classroom/workspace door.

Evacuate to the appropriate Stage 1 evacuation area.

Take attendance using the Emergency Status Report once safely away from the building. Please include name and include whether the missing students were absent that day, or did not arrive at the evacuation site.

Hold attendance form until it is picked-up by a student runner.

- 4) All Clear - The "All Clear" notification will be given by an RHS administrator via the school PA system, the Raptor Alert app, or RUSD email, and will include instructions on how/where teachers, staff and students should proceed next.

Small fires can be put out with the fire extinguisher. Use the PASS method.

Pull the pin to activate the extinguisher.

Aim at the base of the fire.

Squeeze the trigger to discharge.

Sweep the extinguisher from side to side.

## **Pandemic**

### Infectious Disease Education

#### Policy 4119.51:

The Board is committed to maintaining a safe, healthful environment for all employees. The Superintendent or designee shall provide district staff with information responding to concerns about workplace safety and explaining the ways by which various infectious diseases are known to be transmitted.

In keeping with the Health and Safety Code, the district shall distribute to its employees information about AIDS, AIDS-related conditions, and Hepatitis B as such information is compiled and updated by the State Department of Education. This information shall include methods of preventing exposure to AIDS and Hepatitis B, including information about the availability of a vaccine to prevent contraction of Hepatitis B. Employees shall be informed as to whether the cost of vaccination is covered by their health plan. (Health and Safety Codes 199.81-199.82)

Dissemination of the information as required by law is prepared by the State Department of Education.

Because medical knowledge about infectious diseases is continually growing, this policy shall be reviewed annually and updated when necessary.

### Blood Borne Pathogen Incident Reporting Form and Exposure Control Plan

#### Policy 5141.22: Infectious Diseases

The Governing Board desires to protect students from risks posed by exposure to infectious diseases while providing an appropriate education for all students.

The Superintendent or designee shall determine whether to admit a student with an infectious disease, and shall exclude students only in accordance with law. In making this determination, he/she shall consult the student's parents/guardians, the student's physician and/or the county health department, in accordance with law and consistent with confidentiality provisions. Because bloodborne pathogens such as hepatitis B virus, hepatitis C virus and human immunodeficiency virus (HIV) are not casually transmitted, the sole presence of bloodborne pathogens is not sufficient reason to exclude students from attending school.

cf. 5112.2 - Exclusions from Attendance)

(cf. 5141.26 - Tuberculosis Testing)

(cf. 5141.3 - Health Examinations)

(cf. 6158 - Independent Study)

(cf. 6159 -Individualized Education Program)

(cf. 6183 - Home/Hospital Instruction)

Parents/guardians are encouraged to inform the Superintendent or designee if their child has an infectious disease so that school staff may work cooperatively with the student's parents/guardians to minimize the child's exposure to other diseases in the school setting. The Superintendent or designee shall ensure that student confidentiality rights are strictly observed in accordance with law. No district employee shall release medical information, including knowledge of a bloodborne pathogen infection, without written consent from the parent/guardian or adult student. Such information shall be shared only with those persons specifically named in the written permission.

(cf. 5125 - Student Records)

(cf. 5022 -Student and Family Privacy Rights)

The Board requires students and staff to routinely observe universal precautions to prevent exposure to bloodborne pathogens and to prevent the spread of all infectious disease.

cf. 4119.42/4219.42/4319.42 -Exposure Control Plan for Bloodborne Pathogens)

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)

(cf. 5141.23 - Infectious Disease Prevention)

The Superintendent or designee shall ensure that the district's health education program provides information about the nature of bloodborne pathogens and their transmission.

(cf. 5141.6 - Student Health and Social Services)

(cf. 6142.2 - Sexual Health and HIV/AIDS Prevention Instruction)

(cf. 6142.8 - Comprehensive Health Education)

## Blood Borne Pathogens - Safety Practices

### Procedures and Regulations

#### 1. General

1.1 While recognizing that both students and employees diagnosed with an infectious blood borne disease are entitled to a confidential relationship between themselves, the medical community and/or other agencies, the Board of School Trustees encourages these individuals to meet with the School Principal and/or Superintendent of Schools to discuss their disease and immediate and future needs.

#### 1.2 Assessment

#### 2. Students:

2.1. The Superintendent (or designate) will be informed, by the school principal as soon as is known, of any student infected with an infectious blood borne disease.

2.2. A Risk Assessment will be conducted using a team approach including the personal physician, public health personnel, the parent or guardian, and school district personnel as appropriate and will make recommendations about the type of educational and care setting based on the following:

- a. Behavior, neurological development and physical condition of the child;
- b. Type of interaction expected with others.
- c. What the potential is for exposure
- d. Areas for potential for exposure
- e. How exposure may happen
- f. Who needs to know?
- g. What will happen if there is a risk of exposure?

2.3. The team will consider the risk to others in the workplace, whether or not the individual is healthy enough to continue to attend school, and what precautions should be taken to ensure the safety and health of others.

a. The identity of infected students will remain confidential and restricted to those who need to know or are required to be informed.

2.4. Decisions on attendance at school are dependent on the circumstances of each individual case. Regular evaluation of the appropriateness of attendance will be conducted.

2.5. The Board will be notified immediately when the team considers the health condition of a student to be a danger to the immediate health and welfare of a school, its students or employees of the Board.

a. Upon being notified of the team's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

### 3. Employees

3.1. The Superintendent will be informed, by district staff as soon as is known, of any employee infected with an infectious blood borne disease.

3.2. Employees with an infectious blood borne disease, who are able to carry out the essential duties of their jobs in a satisfactory manner without posing a health or safety risk to themselves or others, will be entitled to continue their work.

3.3. Decisions regarding potential health or safety hazards will be made on a case-by-case basis in consultation with the employee, the personal physician and district personnel as appropriate.

3.4. The identity of infected employees will remain confidential and restricted to those who need to know or are required to be informed.

3.5. The Board will be notified immediately if the Superintendent considers the health condition of an employee to be a danger to the immediate health and welfare of a school, its students or other employees of the Board.

a. Upon being notified of the Superintendent's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

### 4. Hygienic Safety Practices

4.1. All employees will follow "Universal Infection Control Precautions" by assuming that blood and other body fluids from all individuals are potentially infectious. These precautions include:

a. Routinely using gloves when anticipating contact with blood

b. Immediately washing hands and other skin surfaces after removal of gloves and/or contact with blood

4.2. Schools will be provided with appropriate protective equipment including disposable waterproof gloves (natural rubber latex, neoprene, nitrile, or vinyl), tongs or pliers and proper sharps containers.

4.3. Schools' medical room mattresses will be either vinyl-coated beds or cloth mattress with a protective vinyl (plastic) covering so that they can be cleaned as needed with a bleach solution.

4.4. Blankets can be cleaned as needed by forwarding them, in a clearly labeled plastic bag, to the Assistant Supervisor Operations at the Facilities Office.

### 5. Universal Precautions

5.1. Universal Precautions to prevent transmission of blood-borne disease will be followed. Universal Precautions is the term for infection control measures endorsed by the Canadian Centre for Occupational Health and Safety for workers who might come into contact with blood and other body fluids. In summary they include:

- a. Wash hands for 30 seconds after contact with blood and other body fluids contaminated with blood.
- b. Wear disposable latex gloves when you encounter blood, body fluids, or when cleaning cuts, scrapes or wounds. Wash your hands as soon as you remove your gloves. Dispose gloves in a plastic bag.
- c. Use disposable absorbent material like paper towels to stop bleeding.
- d. Discard bloodstained material in a sealed plastic bag and deposit in the garbage. Label as containing blood-tainted material.
- e. Cover cuts or scrapes with a bandage until healed.
- f. Immediately protect staff and students from coming in contact with blood-soiled surfaces. The area must be disinfected with a fresh solution of one part bleach and nine-parts water (10% bleach solution).

Mops or brushes used for cleaning should be soaked in a bleach solution for 20 minutes.

(Note: The custodial department will provide each school with the product for dissolving in water to provide the bleach solution.)

## 6. Identification of Risks of Occupational Exposure

6.1. In accordance with the Occupational Health and Safety Regulations (section 6.35), the district's Health & Safety Coordinator will develop and maintain a list of positions and/or tasks and procedures where there is a potential for occupational exposure to a blood borne pathogen.

6.2. Employees who have, or may have, occupational exposure to the hepatitis B virus, will upon request, receive a hepatitis B vaccination (section 6.39, OH&S Regs).

6.3. Employees who may have been exposed to a blood borne pathogen in an exposure incident will be advised to immediately seek medical attention

## **Blood Borne Pathogen Incident Reporting Form and Exposure Control Plan**

### **Policy 5141.22: Infectious Diseases**

The Governing Board desires to protect students from risks posed by exposure to infectious diseases while providing an appropriate education for all students.

The Superintendent or designee shall determine whether to admit a student with an infectious disease, and shall exclude students only in accordance with law. In making this determination, he/she shall consult the student's parents/guardians, the student's physician and/or the county health department, in accordance with law and consistent with confidentiality provisions. Because bloodborne pathogens such as hepatitis B virus, hepatitis C virus and human immunodeficiency virus (HIV) are not casually transmitted, the sole presence of bloodborne pathogens is not sufficient reason to exclude students from attending school.

(cf. 5112.2 - Exclusions from Attendance)  
(cf. 5141.26 - Tuberculosis Testing)  
(cf. 5141.3 - Health Examinations)  
(cf. 6158 - Independent Study)  
(cf. 6159 - Individualized Education Program)  
(cf. 6183 - Home/Hospital Instruction)

Parents/guardians are encouraged to inform the Superintendent or designee if their child has an infectious disease so that school staff may work cooperatively with the student's parents/guardians to minimize the child's exposure to other diseases in the school setting. The Superintendent or designee shall ensure that student confidentiality rights are strictly observed in accordance with law. No district employee shall release medical information, including knowledge of a bloodborne pathogen infection, without written consent from the parent/guardian or adult student. Such information shall be shared only with those persons specifically named in the written permission.

(cf. 5125 - Student Records)  
(cf. 5022 - Student and Family Privacy Rights)

The Board requires students and staff to routinely observe universal precautions to prevent exposure to bloodborne pathogens and to prevent the spread of all infectious disease.

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)  
(cf. 4119.43/4219.43/4319.43 - Universal Precautions)  
(cf. 5141.23 - Infectious Disease Prevention)

The Superintendent or designee shall ensure that the district's health education program provides information about the nature of bloodborne pathogens and their transmission.

(cf. 5141.6 - Student Health and Social Services)  
(cf. 6142.2 - Sexual Health and HIV/AIDS Prevention Instruction)  
(cf. 6142.8 - Comprehensive Health Education)

# **Blood Borne Pathogens - Safety Practices**

## **Procedures and Regulations**

### **1. General**

1.1 While recognizing that both students and employees diagnosed with an infectious blood borne disease are entitled to a confidential relationship between themselves, the medical community and/or other agencies, the Board of School Trustees encourages these individuals to meet with the School Principal and/or Superintendent of Schools to discuss their disease and immediate and future needs.

1.2 Assessment

### **2. Students:**

2.1. The Superintendent (or designate) will be informed, by the school principal as soon as is known, of any student infected with an infectious blood borne disease.

2.2. A Risk Assessment will be conducted using a team approach including the personal physician, public health personnel, the parent or guardian, and school district personnel as appropriate and will make recommendations about the type of educational and care setting based on the following:

- a. Behavior, neurological development and physical condition of the child;
- b. Type of interaction expected with others.
- c. What the potential is for exposure
- d. Areas for potential for exposure
- e. How exposure may happen
- f. Who needs to know?
- g. What will happen if there is a risk of exposure?

2.3. The team will consider the risk to others in the workplace, whether or not the individual is healthy enough to continue to attend school, and what precautions should be taken to ensure the safety and health of others.

- a. The identity of infected students will remain confidential and restricted to those who need to know or are required to be informed.

2.4. Decisions on attendance at school are dependent on the circumstances of each individual case. Regular evaluation of the appropriateness of attendance will be conducted.

2.5. The Board will be notified immediately when the team considers the health condition of a student to be a danger to the immediate health and welfare of a school, its students or employees of the Board.

- a. Upon being notified of the team's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

### **3. Employees**

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3.3. Decisions regarding potential health or safety hazards will be made on a case-by-case basis in consultation with the employee, the personal physician and district personnel as appropriate.

3.4. The identity of infected employees will remain confidential and restricted to those who need to know or are required to be informed.



- 3.5. The Board will be notified immediately if the Superintendent considers the health condition of an employee to be a danger to the immediate health and welfare of a school, its students or other employees of the Board.
- a. Upon being notified of the Superintendent's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

#### **4. Hygienic Safety Practices**

- 4.1. All employees will follow "Universal Infection Control Precautions" by assuming that blood and other body fluids from all individuals are potentially infectious. These precautions include:
- a. Routinely using gloves when anticipating contact with blood
  - b. Immediately washing hands and other skin surfaces after removal of gloves and/or contact with blood
- 4.2. Schools will be provided with appropriate protective equipment including disposable waterproof gloves (natural rubber latex, neoprene, nitrile, or vinyl), tongs or pliers and proper sharps containers.
- 4.3. Schools' medical room mattresses will be either vinyl-coated beds or cloth mattress with a protective vinyl (plastic) covering so that they can be cleaned as needed with a bleach solution.
- 4.4. Blankets can be cleaned as needed by forwarding them, in a clearly labeled plastic bag, to the Assistant Supervisor Operations at the Facilities Office.

#### **5. Universal Precautions**

- 5.1. Universal Precautions to prevent transmission of blood-borne disease will be followed. *Universal Precautions* is the term for infection control measures endorsed by the Canadian Centre for Occupational Health and Safety for workers who might come into contact with blood and other body fluids. In summary they include:
- a. Wash hands for 30 seconds after contact with blood and other body fluids contaminated with blood.
  - b. Wear disposable latex gloves when you encounter blood, body fluids, or when cleaning cuts, scrapes or wounds. Wash your hands as soon as you remove your gloves. Dispose gloves in a plastic bag.
  - c. Use disposable absorbent material like paper towels to stop bleeding.
  - d. Discard bloodstained material in a sealed plastic bag and deposit in the garbage. Label as containing blood-tainted material.
  - e. Cover cuts or scrapes with a bandage until healed.
  - f. Immediately protect staff and students from coming in contact with blood-soiled surfaces. The area must be disinfected with a fresh solution of one part bleach and nine-parts water (10% bleach solution).

Mops or brushes used for cleaning should be soaked in a bleach solution for 20 minutes.

(Note: The custodial department will provide each school with the product for dissolving in water to provide the bleach solution.)

#### **6. Identification of Risks of Occupational Exposure**




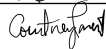
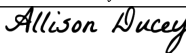
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- 6.2. Employees who have, or may have, occupational exposure to the hepatitis B virus, will upon request, receive a hepatitis B vaccination (section 6.39, OH&S Regs).
- 6.3. Employees who may have been exposed to a blood borne pathogen in an exposure incident will be advised to immediately seek medical attention

# Comprehensive School Safety Plan

**2024-2025  
School Year**

**School:** Redlands eAcademy  
**CDS Code:** 36 67843 0127837  
**District:** Redlands Unified School District  
**Address:** 820 W. Stuart Avenue [K-5] / 31000 E. Colton Ave, S & J Wings [6-12]  
Redlands, CA 92374  
**Date of Adoption:** November 14, 2023  
**Date of Update:** September 27, 2024  
**Date of Review:**  
- with Staff  
- with Law Enforcement  
- with Fire Authority

**Approved by:**

| Name             | Title             | Signature                                                                            | Date           |
|------------------|-------------------|--------------------------------------------------------------------------------------|----------------|
| Melissa Bohannon | PTSA President    |  | 10 / 10 / 2024 |
| Brittany Yanez   | Classified Staff  |  | 10 / 08 / 2024 |
| Nicole Howes     | AP/Admin Designee |  | 10 / 08 / 2024 |
| Courtney Parent  | Parent of Student |  | 10 / 08 / 2024 |
| Allison Ducey    | Teacher           |  | 10 / 08 / 2024 |

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## Comprehensive School Safety Plan Purpose

Effective January 1, 2019, Assembly Bill 1747 (Rodriguez), School Safety Plans, became law. This bill requires that during the writing and development of the comprehensive school safety plan (CSSP), the school site council or safety committee consult with a fire department and other first responder entities in addition to currently required entities. It requires the CSSP and any updates made to the plan to be shared with the law enforcement agency, the fire department, and the other first responder entities.

The California Education Code (sections 32280-32288) outlines the requirements of all schools operating any kindergarten and any grades 1 to 12, inclusive, to write and develop a school safety plan relevant to the needs and resources of that particular school.

In 2004, the Legislature and Governor recast and renumbered the Comprehensive School Safety Plan provisions in SB 719 and AB 115. It is the intent of the Legislature in enacting the provisions to support California public schools as they develop their mandated comprehensive safety plans that are the result of a systematic planning process, that include strategies aimed at the prevention of, and education about, potential incidents involving crime and violence on school campuses.

The historical requirement of the Comprehensive School Safety Plan was presented in Senate Bill 187, which was approved by the Governor and chaptered in 1997. This legislation contained a sunset clause that stated that this legislation would remain in effect only until January 1, 2000. Senate Bill 334 was approved and chaptered in 1999 and perpetuated this legislation under the requirement of the initial legislation.

Comprehensive School Safety Plans are required under SB 719 & AB 115 and contains the following elements:

Assessment of school crime committed on school campuses and at school-related functions

- Child abuse reporting procedures
- Disaster procedures
- Suspension and expulsion policies
- Procedures to notify teachers of dangerous pupils
- Discrimination and harassment policies
- School wide dress code policies
- Procedures for safe ingress and egress
- Policies enacted to maintain a safe and orderly environment
- Rules and procedures on school discipline
- Hate crime reporting procedures

The Comprehensive School Safety Plan will be reviewed and updated by March 1st every year. In July of every year, the school will report on the status of its school safety plan including a description of its key elements in the annual school accountability report card.

A copy of the Comprehensive School Safety Plan is available for review at the school site and District Office..

## Safety Plan Vision

The Redlands eAcademy, in partnership with families, will provide a rigorous and relevant alternative K-12 educational program in a safe and supportive environment that combines standards-based curriculum with digital and small group instruction.

Student Learner Outcomes

Upon graduation, Redlands eAcademy students will be:

Analytical thinkers who:

- -Demonstrate mastery of academic standards
- -Construct viable arguments, critique the reasoning of others, and consider alternative points of view

Career-minded collaborators who:

- -Persevere in solving complex problems and challenging situations
- -Demonstrate the social, emotional, and leadership skills of a productive and principled community member

Effective communicators who:

- -Articulate thoughts and ideas clearly and creatively in written, oral, and digital formats

- -Listen actively and respond appropriately in diverse environments

## **Components of the Comprehensive School Safety Plan (EC 32281)**

### **Redlands eAcademy Safety Committee**

#### **Assessment of School Safety**

ADD -- office referrals, attendance, student feedback through Kelvin, and parent feedback through survey results.

#### **Strategies and Programs to Provide and Maintain a High Level of Safety (EC 32281(a)1, items A-J)**

##### **Introduction - School Profile**

The Redlands eAcademy is one of twenty-five schools in the Redlands Unified School District with traditions dating back to 1965. The Redlands eAcademy, in partnership with families, provides a rigorous and relevant alternative K-12 educational program in a safe and supportive environment that combines standards based curriculum with digital and small group instruction.

Redlands eAcademy faces challenges in maintaining a safe school. This section of the Comprehensive School Safety Plan will describe programs in place at our school as well as strategies and programs of our school site council for continued improvement in providing a safe, orderly, school environment conducive to learning.

##### **School Crime Status and Reporting**

eAcademy administration and safety officers work collaboratively with the Redlands Police department and local county law enforcement agencies to problem solve, investigate school safety issues and report findings to child protective services, as needed. eAcademy does not have a dedicated school resource officer. The SROs from the comprehensive high schools are available for all inquiries, questions, and investigative purposes. All staff members are regularly trained in the safety measures and the reporting of issues to administration and law enforcement.

##### **Personal Characteristics of Pupil & Staff**

(Additional Health and Welfare Data available from ICOE aggregated DAT surveys)

Redlands eAcademy has an enrollment of approximately 152 pupils in grades K-12 across two RUSD campuses - Orangewood campus (K-5 eAcademy students) and Redlands East Valley campus (eAcademy gr. 6-12 students). Pupils from this school come from families with family mobility. Approximately 59% of the pupils are in families receiving Aid to Families with Dependent Children that are eligible for free/reduce lunches. The ethnic makeup of the pupil population is 44.7% Hispanic, 3.3% Black, 36.8% Caucasian, 5.3% Asian, and 7.9% two or more races. Our pupils have a variety of life experiences. Some pupils have recently arrived from foreign countries while others have never left their neighborhood.

##### **Curriculum and Educational Activities**

The Redlands eAcademy offers a blended learning program to students in grades K through 12.

The Redlands eAcademy is excited to offer a blended learning program designed. Elementary students attend class in small groups with a teacher for 8 hours per week, including enrichment (PE, etc.) and optional tutoring. Elementary Parents (with their student) also meet bi-weekly with the teacher (via Zoom) to "check-in" on ongoing student progress and allow time for parent questions and support. At home, the parent is expected to read with their child, help with assignments and projects and ensure that learning activities take place daily. Middle school students attend 2-3 days per week and receive 90 minutes of interactive instruction each week per core class with up to 12 peers and a teacher. Students work independently on non-attending days and on mornings/afternoons before or after class time. Parents help ensure daily work is accomplished using easy-to-track curriculum. The student (and parent if they wish) meets weekly one-on-one with a supervising teacher via Zoom (or on campus) to review progress and set weekly personal goals. home, the parent is expected to review completed work with their child, help with assignments and projects and ensure that learning activities take place daily. High school students are required to attend "block time" appointments with their teachers and other students in small group settings. Each core class has 90 minutes weekly of interactive instruction. Students are required to attend all state testing sessions and district assessments. The eAcademy does not offer a high school sports program, but many of our students participate in club sports or other team activities. eAcademy students fulfill the same graduation requirements as those attending any RUSD high school, satisfying both UC and CSU entrance requirements. College preparatory core classes are available to all students. Students complete a course of study based on their grade level and interest. Our counselors are available to develop a plan of study tailored to meet the students' goals and needs.

**(A) Child Abuse Reporting Procedures (EC 35294.2 [a] [2]; PC 11166)**



#### Policy 5141.4: Child Abuse Prevention and Reporting

The Governing Board recognizes that the district has a responsibility to facilitate the prompt reporting of incidents of child abuse and neglect. The Superintendent or designee shall ensure that parents/guardians have access to procedures whereby they can report suspected child abuse at a school site to appropriate child protective agencies

The Superintendent or designee shall develop and implement regulations for use by employees in identifying and reporting child abuse

District employees shall report known or suspected incidents of child abuse in accordance with district regulations and state law. Employees shall cooperate with the child protective agencies responsible for reporting, investigating and prosecuting cases of child abuse.

(cf. 4112.9 - Signed Statements/Child Abuse Reporting Statements)

The Superintendent or designee shall provide training in child abuse identification and reporting for all certificated and classified personnel. (Penal Code 11165.7)

All employees trained in child abuse identification and reporting shall be given, as a part of that training, written notice of the child abuse reporting requirements and the employees' confidentiality rights. (Penal Code 11165.7)

In order to reduce or eliminate unfounded child abuse accusations directed at school employees, child abuse in service training shall include guidance in disciplining students and maintaining ethical relationships with them.

(cf. 3514 - Safety)

(cf. 5142 - Safety)

#### Duty to Report

Certificated employees and classified employees trained in child abuse identification and reporting shall report known or suspected child abuse to a child protective agency by telephone immediately or as soon as practically possible and in writing within 36 hours. The reporting duties are individual and cannot be delegated to another individual except under circumstances set forth in Penal Code 11166.

#### Definitions

Child Abuse includes the following:

1. A physical injury inflicted by other than accidental means on a child by another person.
2. Willful cruelty or unjustifiable punishment of a child, or willfully inflicting unjustifiable physical pain or mental suffering, or failure to safeguard a child from these injuries when the child is under a person's care or custody
3. Sexual abuse of a child
4. Neglect of a child or abuse in out-of-home care
5. Unlawful corporal punishment or injury resulting in a traumatic condition

Mandated Reporters are those people defined by law as child care custodians, health practitioners, child visitation monitors and employees of a child protective agency. Mandated reporters include virtually all school employees. The following school personnel are required to report:

Teachers, administrators, supervisors of child welfare and attendance, certificated student personnel employees, employees of care institutions, Headstart teachers, school psychologists, licensed nurses, counselors, presenters of child abuse prevention programs and those instructional aides or other classified employees trained in child abuse reporting.

Child Protective Agencies are those law enforcement and child protective services responsible for investigating child abuse reports, including the local police or sheriff department, county welfare or juvenile probation department and child protective services.

Reasonable Suspicion means that it is objectively reasonable for a person to entertain such a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his/her training and experience, to suspect child abuse. (Penal Code 11166)

#### Reporting Procedures

To report known or suspects child abuse, any employee (as defined above) shall report by telephone to the local child protective agency immediately. (Child Protective Services 921 County Center, 3 Court, Modesto, CA phone # 525- 6641)

The following information shall be given:

1. The name of the person making the report
2. The name of the child
3. The present location of the child
4. The nature and extent of any injury

Any other information requested by the child protective agency, including the information that led the mandated reporter to suspect child abuse.

When the verbal 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.

Within 36 hours of making the telephone report, the mandated reporter shall complete and mail to the local child protective agency a written report which includes a completed Department of Justice form (DOJ SS 8572).

Mandated reports may obtain copies of the above form either from the district or local child protective agency.

Instructions are included on the form, and reporters may ask the site administrator for help in completing and mailing it; however, the mandated reporter is personally responsible for ensuring that the written report is correctly filed.

Employees reporting child abuse to a child protective agency are encouraged, but not required, to notify the site administrator or designee as soon as possible after the initial verbal report by telephone. When so notified, the site administrator shall inform the Superintendent or designee.

Administrators so notified shall provide the mandated reporter any assistance necessary to ensure that reporting procedures are carried out in accordance with law and district regulations. At the mandated reporter's request, the principal may assist in completing and filing the form.

If the mandated reporter does not disclose his/her identity to a district administrator, he/she shall at least provide or mail a copy of the written report to the site administrator and the district without his/her signature or name.

#### Legal Responsibility and Liability

Mandated reporters have absolute immunity. School employees required to report are not civilly or criminally liable for filing a required or authorized report of known or suspected child abuse.

A mandated reporter who fails to report an instance of child abuse, which he/she knows to exist or reasonably should know to exist, is guilty of a misdemeanor and is punishable by confinement in jail for a term not to exceed six months or by a fine of not more than \$1,000 or both. The mandated reporter may also be held civilly liable for damages for any injury to the child after a failure to report

When two or more persons who are required to report have joint knowledge of suspected instance of child abuse, and when they so agree, the telephone report may be made by either of them and a single report made and signed by that person.

However, if any person who knows or should know that the person designated failed to make the report, that person then has a duty to make the report.

The duty to report child abuse is an individual duty and no supervisor or administrator may impede or inhibit such reporting duties. Furthermore, no person making such a report shall be subject to any sanction.

#### Victim Interview

Upon request, a child protective agency representative may upon request interview a suspected victim of child abuse during school hours, on school premises, concerning a report of suspected child abuse that occurred within the child's home. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. (Penal Code 11174.3)

A staff member or volunteer aide selected by a child may decline to be present at the interview. If the selected person accepts, the principal or designee shall inform him/her, before the interview takes place, of the following legal requirements:

1. The purpose of the selected person's presence at the interview is to lend support to the child and enable him/her to be as comfortable as possible.
2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the child.
4. The selected person is subject to the confidentiality requirements of the Child Abuse and Reporting Act, a violation of which is punishable as specified by Penal Code 11167.5.
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 or Child Protective Services Agent

When a child is released to a peace officer or child protective agency and taken into custody as a victim of suspected child abuse, the Superintendent and/or principal shall not notify the parent/guardian as required in other instances of removal of a child from school, but rather shall provide the protective agency with the address and telephone number of the child's parent/guardian. It is the responsibility of the peace officer or agent to notify the parent/guardian of the situation. (Education Code 48906)

Peace officer and child protective services agents will be asked to sign an appropriate release or acceptance of responsibility form.

(cf. 5145.11 - Questioning and Apprehension)

#### When School Employees are Accused of Child Abuse

Regardless of who child abusers may be, the major responsibilities of mandated reports are to 1) identify incidents of suspected child abuse, and 2) comply with laws requiring the reporting of suspected abuse to proper authorities. Determining whether or not the suspected abuse actually occurred is not the responsibility of the school employee. Such determination and follow-up investigation will be made by a child protective agency.

Pending outcome of an investigation by a child protective agency and before formal charges are filed, the employee may be subject to reassignment or a paid leave of absence.

Upon filing formal charges or upon conviction, the district may take disciplinary action in accordance with law, district policies, regulations and/or collective bargaining agreements. The Superintendent or designee shall seek legal counsel in connection with either the suspension or dismissal of the employee.

(cf. 4117.4 - Dismissal)  
(cf. 4118 - Suspension/Disciplinary Action (Certificated))  
(cf. 4218 - Suspension/Disciplinary Action (Classified))

## Suspected Child Abuse Reporting Procedures

### I. Initiating the Report

A. The report is initiated by a telephone report to the appropriate agency.

B. If the suspected child abuse has taken place within the family, call the Enter appropriate Agency Hotline at phone number, 1 (800) 827-8724

C. If the suspected child abuse has taken place outside the family, call the local police department at:

Highland Sheriff Police Department  
Phone: (909) 425-9793

D. Content of call.

- 1) Name, address and age of child involved.
- 2) Clear description of suspected abuse.

### II. Written Report

A. The telephone call is to be followed by completion of the Suspected Child Abuse Report (form 11166.P.C.). These forms are available in the Principal's office at the high school or you may access the form on line at:  
[http://ag.ca.gov/childabuse/pdf/ss\\_8572.pdf](http://ag.ca.gov/childabuse/pdf/ss_8572.pdf) for a form or immediately call (909) 384-9233 to file a report.

B. The written report is to be addressed to the person to whom the telephone report was made.

C. The written report must follow the phone call within 36 hours.

1. Suspected child abuse within the family,  
Agency: Children and Family Services  
Address: 150 S. Lena Road, San Bernardino, California 92415

2. Suspected child abuse outside the family should be mailed to the agency to which the report was called -

Adopted: 10/2005  
Highland Sheriff Police Department  
Phone: (909)425-9793

The reporting party should keep the yellow copy of the Suspected Child Abuse Report form (SS8572) or verification of completion of the reporting obligation.

#### Caution:

1. The reporting responsibility has not been discharged until both the telephone call and written reports are complete.
2. School personnel are not to engage in any investigation of suspected cases. The investigation will be done by the child protective services office.
3. The reporting responsibility is an individual one which is NOT discharged by report to supervisors or administrators.

## **(B) Disaster Procedures (EC 35295-35297; GC 8607 and 3100)**

### **Disaster Plan (See Appendix C-F)**

Each classroom, office, library and room on campus has a posting of the emergency procedures near the exit door. Emergency procedures are also posted in each classroom notebook which is reviewed at the beginning of the school year for updates. Fire Drills are practiced twice during the school year. Earthquake drills are practiced two times a year and Lock Down drills are practiced annually.

### **3 Levels of Student Safety in a Crisis Across the District**

#### **1. Safe and Secure Mode (Limit outside movement) "Yellow"**

Safe and Secure Mode is a security procedure used to reduce student and staff movement outside school buildings. This may be due to a medical emergency, area disturbance, isolated site disturbance, etc. It is designed to allow for school to carry forward but have the ability to move to Lockdown quickly if needed. During the Safe and Secure mode, there is heightened vigilance on campus by all school staff.

Generally, recesses and outdoor activities are reduced. Parents/guardians can have access to their student(s) and may check them out of school if they see fit to do so.

? Teachers should continue teaching as normal

? Allow students restroom use with clear administrator/ teacher direction

? Increased available staff presence during passing periods and student dismissal

? Lunch/activities monitored more closely for movement outside of lunch area, unless site admin decides otherwise

? Standard inclement weather schedule/routine in place, unless site administrator/designee decides otherwise

? Perimeter gates, where applicable, will be locked and monitored by available staff, allowing for central access points

? PE classes will be monitored more closely for movement outside of PE area; classes may be moved off all fields into more secure locations (e.g., gym, class, & MPR)

#### **2. Lock Down (Prevent All Outside Movement) "Orange"**

Lock Down is called when a law enforcement event is happening in the vicinity of a school or on campus. With the support of law enforcement, a school site will call a Lock Down as a precautionary measure. This means all students and staff must stay inside behind locked doors; however, it does not mean that there is an active threat occurring on campus.

? Take a look outside your classroom and gather up any stray students in the hallways

? Ensure that your door is locked

? Project a calm demeanor to help students remain calm; reassure students that they are safe

? Do not allow anyone to leave the classroom

? Staff and parents/guardians frequently check their emails for updates from their site administrators

? If students are out on the playground or athletic fields, quickly move them to a secure classroom, locker room, or multi-purpose room

? Teachers continue to keep students engaged in learning

#### **3. Critical Alert (Locks, Lifts, Out of Sight) "Red"**

Critical Alert is called when a significant, threatening event is happening on campus or adjacent to campus that creates a potential danger to students and staff. While this may be communicated to the school by law enforcement, it may also be determined by school officials on the scene. Critical Alert assumes that everyone is prepared for a potential significant threat/event on campus.

? Turn off or reduce lighting, so it will appear that the room is vacant

? Keep all students sitting on the floor, away from the door or windows

? Do not look out the windows

? Advise the students that there is a serious situation; project a calm demeanor and reassure students that you are taking steps to keep them safe

? Ensure that everyone in the room turns the ringer off on their cell phones

? Do not allow students to talk on their cell phones (keep room as quiet as possible)

? Limit calls to the school office; phones are being used to communicate with parents/guardians and first responders

? Quietly take roll and make a list of missing students and any extra students that are in your room. Email this list to your administrators and school site secretaries

? When staff determines, they will direct the evacuation of students they oversee to the designated area; each staff will make this determination based on their specific situation

- ? Do not open the door, even if someone knocks and claims to be a staff member (administrator/custodian will have a master key)
- ? If students are out on the PE field, do not return them to the locker room. Move them to a safe place (this may be the farthest part of the campus or off campus); Staff must remain with students until reunification

## **Public Agency Use of School Buildings for Emergency Shelters**

### **(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines**

#### **Policy 5144.1: Suspension And Expulsion/Due Process**

##### **Suspension and Expulsion**

The Governing Board recognizes that maintaining an environment which promotes learning and protects the health, safety, and welfare of all students may require the suspension or expulsion of a student from regular classroom instruction. District policies and school site rules shall clearly identify district behavior standards

(cf. 5144 - Discipline)

Except in cases where suspension for a first time offense is warranted in accordance with law, suspension shall be imposed only when other means of correction fail to bring about proper conduct. (Education Code 48900.5)

Expulsion is an action taken by the Board for severe or prolonged breaches of discipline by a student. Except for single acts of a grave nature, expulsion is usually used only when there is a history of misconduct, when other forms of discipline, including suspension, have failed to bring about proper conduct, or when the student's presence causes a continuing danger to other students. (Education Code 48915)

The grounds for suspension and expulsion and the procedures for considering, recommending and/or implementing suspension and expulsion shall be specified in Administrative Regulation.

Each principal shall annually inform all students and parents/guardians of the school's discipline rules and procedures and of the availability of all district policies and regulations dealing with student discipline, suspension and expulsion. (Education Code 35291, 35291.5)

(cf. 5145.6 - Parental Notifications)

Suspended or expelled students shall be excluded from all school-related extracurricular activities during the suspension or expulsion.

cf. 6145 - Extracurricular and Cocurricular Activities)

##### **Zero Tolerance**

The Board supports a zero tolerance approach to serious offenses in accordance with state and federal law. This approach makes the removal of potentially dangerous students from the classroom a top priority and ensures the standardized treatment of all students. Staff shall immediately report to the Superintendent/ designee any incidence of offenses specified in law, Board policy, and administrative regulation as cause for suspension or expulsion.

##### **Student Due Process**

The Board shall provide for the fair treatment of students facing suspension and expulsion by affording them their due process rights under the law. The administration and staff shall comply with procedures for notices and appeals as specified in regulation. Procedures governing student due process shall conform in all aspects to provisions in law. (Education Codes 48911, 48915 and 48915.5)

Whenever a student is suspended, school officials may (but are not required to) meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

cf. 5119 - Students Expelled from Other Districts

(cf. 5144.2 - Suspension and Expulsion/Due Process - Individuals with Exceptional Needs)

#### Rights of Complaining Witness

An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental or emotional needs of a student who is the complaining witness. (Education Code 48918.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Educational Code 48918.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies
3. Have a closed hearing during the time he/she testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48918.5)

#### On-Campus Suspension Program

The Board recognizes that students who are suspended from school frequently have no supervision or guidance during the school hours when they are off campus. The Board believes that in many cases, instead of sending the student off campus, it would be better to address the student's misconduct by keeping the student at school and providing him/her with supervision that is separated from the regular classroom.

The Superintendent or designee shall examine alternatives to off-campus suspension and may establish a suspension program which involves progressive discipline during the school day on campus; using conferences between staff, parents/guardians and students; detention; student study teams or other assessment-related teams; and/or referral to school support services staff.

#### Required Parental Attendance

The Board believes that parental involvement plays an important role in the resolution of classroom behavior problems. The Board expects that teachers will communicate with parents/guardians when behavior problems arise

Whenever a student is suspended from a class because he/she committed an obscene act, engaged in habitual profanity or vulgarity, disrupted school activities or otherwise willfully defied valid staff authority, the teacher of the class from which the student was suspended may require the student's parent/guardian to attend a portion of a school day in that class. After completing the classroom visit and before leaving school premises, the parent/guardian also shall meet with the principal or designee. (Education Code 48900.1)

The Board encourages teachers, before requiring parental attendance, to make reasonable efforts to have the parent/guardian visit the class voluntarily. The teacher also may consider informing the parent/guardian about available resources which may provide help in the development of parenting skills. Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the student and the parent/guardian and to improve classroom behavior.

Parental attendance may be required on the day the student returns to class or within one week thereafter. The principal or designee shall contact any parents/guardians who do not respond to the request to attend school. The Board recognizes that parental compliance with this policy may be delayed, modified or prevented by serious illness/injury/disability, absence from town, or inability to get certain release time from work.

The teacher shall apply this policy uniformly to all students within the classroom. This policy shall apply only to a parent/guardian who actually lives with the student. (Education Code 48900.1)

District regulations and school-site rules for student discipline shall include procedures for implementing parental attendance requirements.

Parents/guardians shall be notified of this policy before it is implemented and at the beginning of each subsequent school year. (Education Code 48900.1, 35291, 48980)

#### Decision Not to Enforce Expulsion Order

In cases where expulsion is mandatory pursuant to Education Code 48915(c), the enforcement of an expulsion order shall not be suspended by the Board. In all other cases of expulsion, the order for expulsion may be suspended by the Board, on a case-by-case basis, pursuant to the requirements of law.

#### Definitions

Suspension from school means removal of a student from on going 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, nor referral to a certificated employee designated by the principal to advise students, nor removal from the class without reassignment to another class or program for the remainder of the period, without sending the student to the principal or designee.

2. Removal from a particular class shall not occur more than once every five school days. (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)

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

School property, for the purposes described in Education Code 48900, includes, but is not limited to, electronic files and databases. (Education Code 48900(s))

#### 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, suspension and expulsion. Transfer students and their parents/guardians shall be notified at the time of enrollment. (Education Code 35291.5, 48900.1, 48980)

(cf. 5144 -Discipline)



(cf. 5145.6 Parental Notifications)

Notification shall include information about the ongoing availability of individual school rules and all district policies and regulations pertaining to student discipline. (Education Code 35291)

(cf. 5145.6 -Parental Notifications)

#### Grounds for Suspension and Expulsion

Students may be suspended or recommended for expulsion when the Superintendent, principal, or principal's designee at the school in which the student is enrolled determines that the student has done any of the acts listed below:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense. (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However, a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code Board Policy Manual Redlands Unified School District 48900(s))

2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48900(b))

(cf. 5 131 - Conduct)

(cf. 5131. 7 - Weapons and Dangerous Instruments)

3. Unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of, any controlled substance as defined in the Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind. (Education Code 48900(c))

(cf. 5131.6 -Alcohol and Other Drugs)

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance or material and represented same as controlled substance, alcohol beverage or intoxicant. (Education Code 48900(d))

5. Committed or attempted to commit robbery or extortion. (Education Code 48900(e))

6. Caused or attempted to cause damage to school property or private property. (Education Code 48900(f))

7. Stole or attempted to steal school property or private property. (Education Code 48900(g))

8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products with prior approval of the principal or designee. (Education Code 48900(h))

9. Committed an obscene act or engaged in habitual profanity or vulgarity. (Education Code 48900(i))

10. Unlawfully possessed, or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code. (Education Code 48900(j))

11. Disrupted school activities or otherwise willfully defied 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))

12. Knowingly received stolen school property or private property. (Education Code 48900(1))
13. Possessed an imitation firearm, i.e., 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))
14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code 243.4. (Education Code 48900(n))
15. 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))
16. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug soma. (Education Code 48900(p))
17. Engaged in, or attempted to engage in, hazing as defined in Education Code 32050. (Education Code 48900(q))
18. Made terrorist threats against school officials and/or school property. (Education Code 48900.7)

A student in grades 4 through 12 is also subject to suspension or recommendation for expulsion when it is determined that he/she:

19. Committed sexual harassment as defined in Education Code 212.5. (Education Code 48900.2)
20. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 33032.5. (Education Code 48900.3)
21. 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 Glasswork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment (Education Code 48900.4)

(cf. 5145.3 -Nondiscrimination/Harassment)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent/principal or within any other school district, including but not limited to the following circumstances:

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.

The Superintendent/principal may use his/her discretion to provide alternatives to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program. (Education Code 48900(r))

cf. 5138 -Conflict Resolution/Peer Mediation)

Alternatives to suspension or expulsion will be used against students who are truant, tardy, or otherwise absent from assigned school activities.

(cf. 5113 -Absences and Excuses)

(cf. 5113.1 - Truancy)

#### Suspension from Class by a Teacher/Parental Attendance

A teacher may suspend any student from the teacher's class for any of the acts listed under "Grounds for Suspension and Expulsion" above for the day of the suspension and the day following. (Education Code 48910)

Suspension from class means the removal of a student from class by a teacher for the day of the suspension and the next day. A teacher may suspend a student from class and may also refer a student for consideration of suspension from school for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

When suspending a student from his/her class, the teacher shall immediately report this action to the principal and send the student to the principal for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been suspended.

As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the suspension. A counselor or psychologist should attend the conference if it is practicable, and a school administrator may attend if either the parent/guardian or teacher so request.

A suspended student shall not be returned to class during the period of suspension without the approval of the teacher of the class and the principal. (Education Code 48910)

A student suspended from class shall not be placed in another regular class during the period of suspension. However, if a student is assigned to more than one class per day, he/she may be placed in any 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 suspended student to complete any assignments and tests missed during the suspension. (Education Code 48913)

When a teacher requires a parent/guardian to attend school in accordance with Board Policy, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is required pursuant to law. (Education Code 48900.1)

1. This notice shall also tell the parent/guardian when his/her presence is expected and by what means he/she may arrange any necessary change.
2. The notice shall describe the protections afforded to the parent/guardian as an employee by Labor Code 230.7.
3. The notice shall state that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student.

The teacher shall remind the parent/guardian to meet with the principal or designee after completing the classroom visit and before leaving school premises.

#### Suspension By Superintendent, Principal Or Principal's Designee

A Superintendent, principal, or principal's designee may suspend a student from a school for any of the acts listed under "Grounds for Suspension and Expulsion" above for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

The Superintendent or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife, as defined in Education Code 48915(g), at another person.

3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.

4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item 414 under "Grounds for Suspension and Expulsion" above.

5. Possession of an explosive as defined in 18 USC 921.

Suspension may be imposed upon a first offense if the Superintendent, principal or designee determines the student violated items (i) - (v) listed in "Grounds For Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903 and 48912)

#### Suspension Procedures

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the principal or designee or the Superintendent or designee between 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 and the evidence against him/her and shall be given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911(b))

This conference may be omitted if the principal, designee or the Superintendent or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or school personnel. If the pre-suspension conference is not held, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference will be held as soon as the student is physically able to return to school. (Education Code 48911(c))

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior

A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee, who in turn will inform the Board.

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 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 also state the date and time when the student may return to school.

Should school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may also add that state law requires the parent/guardian to respond to such request without delay.

4. Parent/Guardian Conference: Whenever a student is suspended, school officials may meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such conference. The student may not be denied readmission solely because the parent/guardian failed to attend. (Education Code 48911)

5. Extension of Suspension: If the expulsion of a suspended student is being considered by the Board, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision. (Education Code 48911(g))

Any extension of the original period of suspension shall be 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. Extension of the suspension may be made only if 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(g))

#### Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal or Principal's 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 if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. 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 may hold closed sessions if a public hearing would lead to disclosure of information which would violate a student's right to privacy under Education Code 49073-49079.

(cf. 9321 -Closed Session Purposes and Agendas)

The Board shall provide the student with written notice of the closed session by registered or certified mail. Upon receiving this notice the student 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 shall be in closed session. (Education Codes 48912)

#### Authority to Expel

A student may be expelled only by the Board. The Board shall expel, as required by law, any student found to have committed certain offenses listed below under "Mandatory Recommendation and Mandatory Expulsion."

The Board may also order a student expelled for any of the acts listed above under "Grounds for Suspension and Expulsion" upon recommendation by the principal, Superintendent, hearing officer or administrative panel, based on finding either or both of the following: (Education Code 48915(b) and (e))

1. That other means of correction are not feasible
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

#### Mandatory Recommendation For Expulsion

The principal, Superintendent or designee shall recommend a student's expulsion for any of the following acts, unless the principal or Superintendent or designee finds, and reports in writing to the Board, that expulsion is inappropriate due to particular circumstances which shall be set out in the report of the incident:

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife as defined in Education Code 48915(g), explosive 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 the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee.

#### Mandatory Recommendation And Mandatory Expulsion

The principal, Superintendent or designee shall recommend that the Board expel any student found at school or at a school activity off school grounds to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48915(c).1)
2. Brandishing a knife as defined in Education Code 48915(g) at another person. (Education Code 48915(c).2)
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058. (Education Code 48915(c).3)
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above. (Education Code 48915(c).4)
5. Possessing an explosive as defined in 18 USC 921.

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

#### Student's Right to Expulsion Hearing

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred. (Education Code 48918(a))

The student is entitled to 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 district's discretion. (Education Code 48918(a))

If the district finds it impracticable 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))

Once the hearing starts, all matters shall be pursued with reasonable diligence and concluded without unnecessary delay. (Education Code 48918(a))

#### 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 48915.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Education Code 48915.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing.

2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies.
3. Have a closed hearing during the time he/she testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48915.5)

#### Written Notice of the Expulsion Hearing

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least ten 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. A parent/guardian of a student expelled for acts described in paragraphs through 4 of Education Code 48915(a), seeks enrollment in another district they must inform the new district of the student's status with the expelling district, pursuant to Education Code 48915.1.

(cf. 5119 -Students Expelled from Other Districts)

5. The opportunity for the student or the student's parent/guardian to appear in person or to employ and be represented by counsel.
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.

#### Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and Education Code 35145, the Board shall conduct the hearing or arrange for an alternative 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 request is made, the meeting shall be public

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to deliberate and determine if the student should be expelled. If the Board admits any other person to the closed session, the parent/guardian, the student, counsel of the student and counsel of the parent/guardian shall also be allowed to attend the closed session. (Education Code 48918(c))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to have his/her testimony heard in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including but not limited to videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

2. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, so long as a reasonably accurate written and complete transcription of the proceedings can be made. (Education Code 48918(g))

3. Presentation of Evidence: While technical rules of evidence do not apply to such hearings, 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 must be supported by substantial evidence that the student committed any of the above acts listed under "Grounds for Suspension and Expulsion" above. Findings of fact shall be based solely on the evidence at the hearing.

While no evidence 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) and

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 Witness: The following procedures shall be observed when hearings involve allegations of sexual assault or sexual battery by a student: (Education Code 48918)

- a. Any complaining witness shall be given five days' notice before being called to testify.
- b. Any complaining witness shall be entitled to have up to two adult support persons, including but not limited to a parent/guardian or legal counsel, present during his/her testimony.
- c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- e. If one or both support persons are also witnesses, the hearing shall be conducted according to Penal Code 868.5.
- f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard.

Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.

g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.

(1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.

(2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.

(3) The person conducting the hearing may:

- (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness.
- (b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
- (c) Permit one of the support persons to accompany the complaining witness to the witness stand.

6. Decision Within Ten Days: The Board's decision on whether to expel a student shall be made within ten school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))



7. Decision Within 40 Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

#### Alternative 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. Alternatively, the Board may 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(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified in "Conduct of Expulsion Hearing" above.

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 student shall be immediately reinstated. (See "Reinstatement" below.) The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers and with the student's parent/guardian. (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))

The hearing officer or administrative panel may recommend that the Board suspend the expulsion for a period of one year. (See "Suspension of Expulsion" below.)

The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

#### Stipulated Expulsions

It is the policy of the Redlands Unified School District that, where approved by the Superintendent or designee, parents/guardians may agree to the expulsion of their pupil by stipulation without necessity of a hearing. This process will expedite the pupil's school placement and may expedite the rehabilitation process.

A stipulated expulsion must be purely voluntary. No district administrator or staff member may coerce a pupil, parent or guardian into entering into such a stipulation. Parents/guardians will be given three calendar days to decide on a stipulated expulsion agreement.

If the parent/guardian requests a stipulated expulsion, the Superintendent or designee will promulgate the stipulated agreement. If at any time the parent/guardian decides not to pursue a stipulated agreement, the expulsion proceedings and timelines, extended by the length of the period for consideration of the stipulation, will be reinstated. The stipulated agreement will be presented to the Board for final consideration.

The stipulated agreement will include the terms and conditions of the expulsion order, including alternative placement and a rehabilitation plan to be completed before the student can be re-admitted to the district.

#### Final Action by the Board

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel, the final action to expel must be taken by the Board at a public meeting. (Education Code 48918(f)) The Board shall maintain a record of each expulsion, including its cause. Expulsion records shall be non-privileged, disclosable public records.

(cf. 9321.1 - Closed Session Actions and Reports)

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

Upon ordering the 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 an act listed under "Mandatory Recommendation and Mandatory Expulsion" above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. (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 of the student at the time of review for readmission.
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service and other rehabilitative programs.
3. Such other recommendations as the Board approves.

With parental 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)

Upon expulsion, a copy of readmission procedures will be made available to the student and his/her parent/guardian.

#### Written Notice to Expel

The Superintendent or designee shall send written notice of the decision to expel to the student or parent/guardian. The notice shall include the following:

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed in Education Code 48900(a)-(o), Education Code 48900.2-48900.4 and Education Code 48915(c). (Education Code 48900.8)
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian. (Education Code 48916)
3. Notice of the right to appeal such expulsion to the County Board of Education. (Education Code 48918)
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion. (Education Code 48918)
5. The notice also shall inform the student or parent/guardian of his/her 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)

#### Suspension of Expulsion

The Board, upon voting to expel a student, may suspend the enforcement of the expulsion order for not more than one calendar year. When deciding whether to suspend an expulsion, the Board shall take into account the following criteria:

1. The student's previous behavior.
2. The seriousness of the misconduct.
3. The student's attitude toward the misconduct and his/her willingness to follow a rehabilitation program.

The suspension of the enforcement of an expulsion shall be governed by the following: (Education Code 48917)

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.
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status.
3. The suspension of expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion" above or violates any of the district's rules and regulations governing student conduct.
4. When suspension of expulsion order is revoked, a student may be expelled under the terms of the original expulsion order
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expungement of any or all records of the expulsion proceedings.
6. Suspension 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 of Education.
7. 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 also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education. (Education Code 48918(i))

#### Right to Appeal

The student or parent/guardian is entitled to file an appeal of the Board's decision to the County Board of Education.

The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion action is suspended and the student is placed on probation. (Education Code 48919)

#### Post-Expulsion Placements

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 such a site.
3. Not housed at the school site attended by the student at the time of suspension.

(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for acts described in items #6 through # 13 and # 17 through # 19 under "Grounds for Suspension and Expulsion" above may be instead referred to a program of study that is provided at another comprehensive middle, junior, or senior high school, or at an elementary school.

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)

#### Reinstatement

When the Board accepts a recommendation against expulsion or makes its own decision after the hearing not to expel, the decision is final and the student shall be reinstated immediately. The Superintendent or designee shall place the student in any classroom program, other instructional program, rehabilitation program, or any combination of such programs following consultation with district personnel, including the teacher involved, and with the student's parent/guardian. (Education Code 48918(e))

## Readmission

An expulsion order shall remain in effect until the Board may order the readmission of the student.

Readmission procedures shall be as follows:

1. A written request for review of expulsion action and request for readmission shall be submitted by the parent/guardian to the Superintendent or designee.
2. The Superintendent or designee will hold a conference with the parent/guardian and the student.
3. At the conference the conditions for readmission will be reviewed. The Superintendent or designee shall verify that the rehabilitation plan has been met.
4. School regulations will be reviewed and the student and parent/guardian will be asked to indicate in writing their willingness to comply with these regulations.
5. The Superintendent or designee will transmit the request for readmission to the Board, along with his/her recommendation. The Board shall consider the request in closed session if the information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it will be honored.
6. The Superintendent or designee will notify the student or parent/guardian, by registered mail, of the district's decision regarding readmission.
7. 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)
8. 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. (Education Code 48916)
9. 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)

## Maintenance of Records

The Board will maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls, within five days of a written request by the admitting school. (Education Code 48900.8, 48918(k))

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district. (Education Code 48915.1)

cf. 5119 - Students Expelled from Other Districts)

(cf. 5125 - Student Records)

## Notifications and Reports

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering or sale of controlled substances, alcohol, or intoxicants of any kind.

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 also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

#### Outcome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion.
2. The specific grounds for each recommended expulsion.
3. Whether the student was subsequently expelled.
4. Whether the expulsion order was suspended.
5. The type of referral made after the expulsion.
6. The disposition of the student after the end of the expulsion period.

#### Suspension and Expulsion/Due Process

Redlands Unified  
Administrative Regulation  
AR 51441  
Adopted June 27, 1995  
Students

#### Definitions

Suspension from school 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. Removal from a particular class shall not occur more than once every five school days.

Expulsion means removal of a student from the immediate supervision and control, or the general supervision, of school personnel. (Education Code 48925)

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian or legal counsel. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

#### 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, suspension and expulsion. Transfer students and their parents/guardians shall be notified at the time of enrollment. (Education Code 35291.5, 48900.1, 48980)  
(cf. 5144 - Discipline)

Notification shall include information about the ongoing availability of individual school rules and all district policies and regulations pertaining to student discipline. (Education Code 35291)  
(cf. 5145.6 - Parental Notifications)

#### Grounds for Suspension and Expulsion

A student may be subject to suspension or expulsion when it is determined that he/she:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense. (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aide or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code 48900(s))

2. Possessed, sold, or otherwise furnished any firearm. Knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48900(b))  
(cf. 5131 - Conduct)  
(cf. 5131.7 - Weapons and Dangerous Instruments)

3. Unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of, any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind. (Education Code 48900(c))  
(cf. 5131.6 - Alcohol and Other Drugs)

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid, substance or material and represented same as controlled substance, alcohol beverage or intoxicant. (Education Code 48900(d))

5. Committed or attempted to commit robbery or extortion. (Education Code 48900(e))

6. Caused or attempted to cause damage to school property or private property. (Education Code 48900(f))

7. Stole or attempted to steal school property or private property. (Education Code 48900(g))

8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products (Education Code 48900(h))

9. Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))

10. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5. (Education Code 48900(j))

11. Disrupted school activities or otherwise willfully defied 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))

12. Knowingly received stolen school property or private property. (Education Code 48900(l))

13. Possessed an imitation firearm, i.e., 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))

14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code 243.4. (Education Code 48900(n))

15. 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))

16. Made terrorist threats against school officials and/or school property. (Education Code 48900.7)

Pursuant to Education Code 48900.7, the making of a terrorist threat includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person or property damage in excess of \$1,000.00, 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.

A student in grades 4 through 12 is also subject to suspension or recommendation for expulsion when it is determined that he/she:

17. Committed sexual harassment as defined in Education Code 212.5. (Education Code 48900.2)

Pursuant to Education Code 48900.2 the conduct constitutes harassment when considered from the perspective of a reasonable person of the same gender as the victim to be 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.

(cf. 5145.7 - Sexual Harassment)

18. 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)

(cf. 5145.9 - Hate-Motivated Behavior)

Education Code 233 defines "hate violence" as any act punishable under Penal Code 422.6, 442.7 or 422.75. Such acts include injuring or intimidating another person, interfering with the exercise of a person's civil rights, or damaging a person's property because of the person's race, color, religion, ancestry, national origin, disability, gender or sexual orientation.

19. Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading student rights by creating an intimidating or hostile educational environment. (Education Code 48900.4)

(cf. 5145.3 - Nondiscrimination/Harassment)

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent or principal or within any other school district, including but not limited to the following circumstances: (Education Code 48900)

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.

The Superintendent or principal may use his/her discretion to provide alternative to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program. (Education Code 48900(r))

Alternatives to suspension or expulsion will be used with students who are truant, tardy, or otherwise absent from assigned school activities.

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Truancy)

#### Removal from Class by a Teacher/Parental Attendance

A teacher may suspend any student from his/her class for the remainder of the day and the following day for any act listed in "Grounds for Suspension and Expulsion" above. (Education Code 48910)

A teacher also may refer a student to the principal or designee for consideration of suspension from school. (Education Code 48910)

When removing a student from his/her class, the teacher shall immediately report this action to the principal and send the student to the principal for appropriate action. The student shall be appropriately supervised during the class periods from which he/she has been removed.

As soon as possible, the teacher shall ask the student's parent/guardian to attend a parent-teacher conference regarding the removal. A counselor or psychologist should attend the conference if it is practicable, and a school administrator may attend if either the parent/guardian or teacher so requests.

A student removed from class shall not be returned to class during the period of removal without the approval of the teacher of the class and the principal. (Education Code 48910)

A student removed from class shall not be placed in another regular class during the period of removal. However, if a student is assigned to more than one class per day, he/she may be placed in any other regular classes except those held at the same time as the class from which the student was removed. (Education Code 48910)

The teacher of any class from which a student is removed may require the student to complete any assignments and tests missed during the removal. (Education Code 48913)

Pursuant to Board policy, a teacher may provide that the parent/guardian of a student whom the teacher has removed attend a portion of a school day in his/her child's classroom. When a teacher makes this request, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is requested pursuant to law. (Education Code 48900.1)

This notice shall also:

1. Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternate date.
2. Describe the legal protections afforded to the parent/guardian as an employee under Labor Code 230.7.
3. State that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student.
4. Ask the parent/guardian to meet with the principal after the visit and before leaving school, as required by Education Code 48900.1.

Suspension by Superintendent, Principal or Principal's Designee

The Superintendent, principal or principal's designee may suspend a student from a school for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

The Superintendent or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915)

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife, as defined in Education Code 48915(g), at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion".
5. Possession of an explosive as defined in 18 USC 921.

Suspension also may be imposed upon a first offense if the Superintendent, principal or designee determines the student violated items #1-5 listed in "Grounds for Suspension and Expulsion" above or if the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48900.5)

A student may be suspended from school for not more than 20 school days in any school year, unless for purposes of adjustment a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903, 48912)



The Superintendent or designee may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which a student may be suspended in any school year. (Education Code 48903)

Suspensions shall be initiated according to the following procedures:

1. Informal Conference: Suspension shall be preceded by an informal conference conducted by the principal, designee or the Superintendent 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 and the evidence against him/her; the student shall be given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911(b))

This conference may be omitted if the principal, designee or the Superintendent determines that an emergency situation exists. An "emergency situation" involves 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 a conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference will be held as soon as the student is physically able to return to school. (Education Code 48911(c))

2. Administrative Actions: All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee.

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 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 also state the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may add that state law requires the parent/guardian to respond to such requests without delay.

4. Parent/Guardian Conference: Whenever a student is suspended, school officials may meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matters. (Education Code 48914)

While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such conference. The student may not be denied readmission solely because the parent/guardian failed to attend. (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. (Education Code 48911(g))

Any extension of the original period of suspension shall be 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. Extension of the suspension may be made only if 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)

#### Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal or Principal's 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 if any of the acts listed in “Grounds for Suspension and Expulsion” occurred. 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 closed sessions if a public hearing would lead to disclosure of information violating a student’s right privacy under Education Code 49073-49079.

(cf. 9321 - Closed Session Purposes and Agendas)

The Board shall provide the student and his/her parent/guardian with written notice of the closed session by or certified mail. 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 Codes 35146, 48912)

#### On-Campus Suspension Program

Students for whom an expulsion action has not been initiated and who pose no imminent danger or threat to the school may be assigned to a separate, supervised suspension classroom for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

1. The supervised suspension classroom shall be staffed in accordance with law.
2. The student shall have access to appropriate counseling services.
3. The supervised suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.
4. Each student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom. The teacher 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 a supervised 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 shall be made in writing. (Education Code 48911.1)

#### Authority to Expel

A student may be expelled only by the Board. The Board shall expel, as required by law, any student found to have committed certain offenses listed below under “Mandatory Recommendation and Mandatory Expulsion.”

The Board also may order a student expelled for any of the acts listed under “Grounds for Suspension and Expulsion” upon recommendation by the principal, Superintendent, hearing officer or administrative panel, based on finding 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.

#### Mandatory Recommendation for Expulsion

Unless the principal, Superintendent or designee finds that expulsion is inappropriate due to particular circumstances, the principal, Superintendent or designee shall recommend a student’s expulsion for any of the following acts: (Education Code 48915 (a))

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife as defined in Education Code 48915(g), explosive or other dangerous object of no reasonable use to the student.
3. Unlawful possession of any controlled substance, as listed in the Health and Safety Code 11053-11058, except for the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee.

#### Mandatory Recommendation and Mandatory Expulsion

Note: The Attorney General has determined, in 80 Ops.Cal. Atty. Gen. 347 (1997), that a district may not adopt a zero tolerance policy mandating expulsion of a student for a first offense of possession of a controlled substance or alcohol.

The principal, Superintendent or designee shall recommend that the Board expel any student found at school or at a school activity to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, or selling or otherwise furnishing a firearm, 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. Brandishing a knife as defined in Education Code 48915(g) at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
4. Committing or attempting to commit a sexual assault or committing a sexual battery as defined in item #14 under "Grounds for Suspension and Expulsion" above.
5. Possessing an explosive as defined in 18 USC 921.

Upon finding that the student committed any of the above acts, the Board shall expel the student. (Education Code 48915)

The initial recommendation for consideration of expulsion is that of the school principal or the Superintendent. Designees may not make this type of recommendation.

The recommendation for consideration of expulsion shall be submitted to the Director, Office of Student Services, who will review the material and recommend:

1. Reassignment to appropriate regular education program.
2. Refer student to Alternative Program; i.e., Community School, Independent Study, Continuation or Opportunity School, or other district programs.
3. Refer the matter to the Discipline Review Panel for further consideration.

When a case is referred to the discipline Review Panel, the panel shall question school personnel who have information on the incident and the behavior record of the student charged and weighs the evidence presented.

The panel shall, in the case of an expulsion consideration, weigh information presented to determine:

- a. Is the evidence sufficient to support consideration by the expulsion panel?
- b. Has the district, through the schools involved, considered or utilized alternatives to expulsion when possible?
- c. Have due process procedures been adhered to?

The recommendation shall be either to proceed with the expulsion or to utilize an existing practical alternative in lieu of expulsion.

If the district (school) has not adhered to due process requirements, the student shall be returned to school immediately.

If the Discipline Review Panel meets to consider a matter other than an expulsion, it shall provide its best judgment as to an effective alternative program or plan to action.

The recommendation of the Discipline Review Panel shall be forwarded to the Director, Office of Student Services, who shall then review the facts, concur, veto or modify the recommendation.

4. That an expulsion panel be convened.

At the time a recommendation for expulsion is submitted, a hearing shall be scheduled by the Superintendent or designee to determine whether the suspension shall be extended. If the decision is to extend the suspension, the period of time shall be until the Board has rendered a decision or until the expulsion process is otherwise terminated.

The extension of suspension shall be based upon determination by the Superintendent or designee that the presence of the student at the school or in an alternative school placement would cause a danger to persons or property or a threat of disrupting the instructional process. This extension shall be imposed only after the student and the parent/guardian have been given the opportunity to be present at a hearing conducted by the Superintendent or designee. At this time, the student and parent/guardian shall be given the opportunity to be heard and present any information that might bear upon the decision.

Materials which support the decision of the person recommending the expulsion shall be prepared and submitted to the Office of Student Services. The departments of Attendance, Guidance, Special Education and/or Health may be requested to assist in the preparation of this material.

#### Student's Right to Expulsion Hearing

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred. (Education Code 48918 (a))

The student is entitled to 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 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 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 no 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))

#### Waiver of Hearing (Default Proceedings)

If the parent/guardian agrees that their son/daughter behaved essentially in the manner stated in the principals letter recommending expulsion and that such behavior constitutes a violation of the California Education Code, Section 48900, 48900.2, 48900.3, 48900.4, 48900.7 and/or 48915 a suspendable/expellable offense, the parent/guardian may request to waive the Administrative Hearing Panel.

When the parent/guardian agrees to waive the Administrative Hearing Panel, they also waive all notification and timelines related to the expulsion hearing process, along with their rights to appeal the determination of the Board.

The signed affidavit and findings of fact will be submitted to the Board for their approval. The Board has the discretionary power to accept, reject, or modify all recommendations.

#### Rights of Complaining Witness

An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental or emotional needs of a student who is the complaining witness. (Education Code 48918.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to all the following: (Education Code 48918.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing.
2. Have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies.
3. Have a closed hearing during the time he/she testifies.

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48918.5)

## Written Notice of the Expulsion Hearing (Education Code 48918(b))

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least 10 calendar days before the date of the hearing. The notice shall include: (Education Code 48900.8, 48918 (b))

1. The date and place of the hearing.
2. A statement of the specific facts, charges and offense upon which the proposed expulsion is based.
3. A copy of district disciplinary rules which relate to the alleged violation.
4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment. This obligation applies when a student is expelled for acts other than those described in Education Code 48915 (a) or (c).  
(cf. 5119 - Students Expelled from other Districts)

5. The opportunity for the student or the student's parent/guardian to appear in person and/or be represented by legal counsel or by a non-attorney advisor.

Legal counsel means an attorney or lawyer who is admitted to the practice of law in California and is an active member of the State Bar of California.

Non-attorney advisor 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.

### Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and 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 request is made, the meeting shall be public, unless another student's privacy rights would be violated.

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to determine if the student should be expelled. If the Board admits any other person to the closed session, the parent/guardian, the student, and the counsel of the student, shall also be allowed to attend the closed session. (Education Code 48918(c))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to have his/her testimony heard in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including but not limited to videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

2. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate written and complete transcription of the proceedings can be made. (Education Code 48918(g))

3. Subpoenas: Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with the Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20, formerly 11525. (Education Code 48918(i))

Any objection raised by the student or the Superintendent or designee to the issuance of subpoenas may be considered by the Board in closed session, or in open session if so requested by the student, before the meeting. The Board's decision in response to such an objection shall be final and binding. (Education Code 48918(i))

If the Board determines, or if the hearing officer or administrative panel finds and submits to the Board, that a witness would be subject to unreasonable risk of harm by testifying at the hearing, a subpoena shall not be issued to compel the personal attendance of that witness at the hearing. However, that witness may be compelled to testify by means of a sworn declaration as described in item #4 below. (Education Code 48918(i))

4. Presentation of Evidence: While technical rules of evidence do not apply to expulsion hearings, 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 must be supported by substantial evidence that the student committed any of the acts listed in "Grounds for Suspension and Expulsion" above.

Findings of fact shall be based solely on the evidence at the hearing. While no evidence 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) and (h))

In cases where a search of a student's person or property has occurred, evidence describing the reasonableness of the search shall be included in the hearing record.

5. Testimony by Complaining Witnesses: The following procedures shall be observed when hearings involve allegations of sexual assault or sexual battery by a student: (Education Code 48918)

- a. Any complaining witness shall be given five days' notice before being called to testify.
- b. Any complaining witness shall be entitled to have up to two adult support persons, including but not limited to a parent/guardian or legal counsel, present during his/her testimony.
- c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
- d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
- e. If one or both support persons are also witnesses, the hearing shall be conducted according to Penal Code 868.5.
- f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.
- g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.
  - (1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.
  - (2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.
  - (3) The person conducting the hearing may:
    - (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness.
    - (b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
    - (c) Permit one of the support persons to accompany the complaining witness to the witness stand.

6. Decision Within 10 Days: The Board's decision on whether to expel a student shall be made within 10 school days after the conclusion of the hearing, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

7. Decision Within 40 Days: If the Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

Instead of conducting an expulsion hearing itself, the Board may contract with the county hearing officer or with the Office of Administrative Hearings of the State of California for a hearing officer. Alternatively, the Board may 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(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified in "Conduct of Expulsion Hearing."

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 student shall be immediately reinstated. (See "Reinstatement.") The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers, and with the student's parent/guardian. (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 for a period of one year. (See "Decision Not to Enforce Expulsion Order" below.)

The Board shall make its decision about the student's expulsion within 40 school days after the date of the student's removal from school unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

#### The Discipline Review Panel

The Discipline Review Panel will consist of elementary educators when a review is being made of an elementary student and of secondary educators when a review is being made of secondary student.

1. The Discipline Review Panel shall hear the following types of disciplinary cases:
  - a. Requests for expulsion from site principals or the Superintendent.
  - b. School site administrative requests for assistance (non-expulsion situations).
2. Each discipline review panel shall consist of three certificated persons plus a chairperson and shall consist of elementary educators when a review is being made of an elementary student and of secondary educators when a review is being made of a secondary student. A panelist may not serve on any panel involving a student who is currently attending the school in which he/she is assigned. A representative from Student Services shall be a nonvoting member of each panel.

A chairperson and assistant chairperson, to serve when the chairperson is unable to serve, shall be appointed by the Superintendent or designee and shall serve at his/her pleasure. Neither shall be a member of the Student Services staff.

A pool of panelists shall be established which shall be composed of personnel who have served or are currently serving as members of administrative expulsion panels. The committee chairman shall select members to serve on individual panels.

The meetings of the discipline review panel are open to school district personnel only.

The duties of the Discipline Review Panel are as follows:

1. The chairperson shall call a meeting of the panel as soon as possible, but no later than 10 school days after the receipt of notice of a pending case.
2. A recommendation must be forwarded to the Director, Office of Student Services, within three days of the review hearing.
3. In the event a member of the committee cannot be present at a meeting, the Director, Office of Student Services, will appoint an alternate from the pool to attend.

#### Final Action by the Board

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel, the final action to expel shall be taken by the Board at a public meeting. (Education Code 48918(j))

(cf. 9321.1 - Closed Session Actions and Reports)

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

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 an act listed under “Mandatory Recommendation and Mandatory Expulsion” above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. (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 of the student at the time of review for readmission.
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service and other rehabilitative programs.

With parental 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 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 in Education Code 48900 (a)-(o), Education Code 48900.2-48900.4, Education Code 48915 (c) and (Education Code 48900.8).
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian. (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Governing Board. (Education Code 48918)
4. Notice of the alternative educational placements 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 Not to Enforce Expulsion Order**

In accordance with Board policy, when deciding whether to suspend the enforcement of an expulsion, the Board shall take into account the following criteria:

1. The student’s pattern of behavior.
2. The seriousness of the misconduct.
3. The student’s attitude toward the misconduct and his/her willingness to follow a rehabilitation program.

The suspension of the enforcement of an expulsion shall be governed by the following: (Education Code 48917)

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.
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status.
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” above or violates any of the district’s rules and regulations governing student conduct.
4. When the suspension of the enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order.
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings.
6. 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 County Board of Education.



7. 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 also inform the parent/guardian of the right to appeal the expulsion to the County Board of Education. (Education Code 48918 (j))

#### Right to Appeal

The student or parent/guardian is entitled to file an appeal of the Board's decision to the County Board of Education. The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion action is suspended and the student is placed on probation. (Education Code 48919)

#### Post-Expulsion Placements

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 such a site.
3. Not housed at the school site attended by the student at the time of suspension.

(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent of Schools so certifies, students expelled for acts described in items #6 through #13 and #17 through #19 under "Grounds for Suspension and Expulsion" may be instead 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

Readmission procedures shall be as follows:

1. On the date set by the Board when it ordered the expulsion, the district shall consider readmission of the student. (Education Code 48916)
2. 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.
3. The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session if information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it shall be honored.
4. 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.
5. 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)
6. 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. (Education Code 48916)
7. 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)

#### Maintenance of Records

The Board shall maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls, within five days of a written request by the admitting school. (Education Code 48900.8, 48918(k))

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district. (Education Code 48915.1)

(cf. 5119 - Students Expelled from Other Districts)

(cf. 5125 - Student Records)

#### Notifications 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 also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering or sale of controlled substances, alcohol, or intoxicants of any kind. (Education Code 48902)

#### Ouome Data

The Superintendent or designee shall maintain the following data and report such data annually to the California Department of Education, using forms supplied by the California Department of Education: (Education Code 48900.8, 48916.1)

1. The number of students recommended for expulsion.
2. The grounds for each recommended expulsion.
3. Whether the student was subsequently expelled.
4. Whether the expulsion order was suspended.
5. The type of referral made after the expulsion.
6. The disposition of the student after the end of the expulsion period.

Regulation: REDLANDS UNIFIED SCHOOL DISTRICT

Approved: June 27, 1995, Redlands, California

#### **(D) Procedures to Notify Teachers of Dangerous Pupils (EC 49079)**

Each year and when new students enroll at eAcademy - any student that was suspended in the last three years will be provided written notice and that they can request to receive more information regarding the suspension. This documented and kept with the student file annually.

**(E) Sexual Harassment Policies (EC 212.6 [b])**

## Policy 4119.11: Sex Discrimination and Sex-Based Harassment

The Governing Board is committed to providing a safe work environment that is free of harassment and intimidation. The Board prohibits sexual harassment against district employees by anyone, in any manner, and prohibits retaliatory action or behavior against any persons who complains, testifies, or otherwise participates in the complaint process established pursuant to this policy and accompanying administrative regulation. This policy shall apply to all district employees, interns, volunteers, contractors, job applicants, and other persons with an employment relationship with the district.

(cf. 0410 - Nondiscrimination in District Programs and Activities) (cf. 4030 - Nondiscrimination in Employment)

Sexual harassment includes, but is not limited to, harassment that is based on the sex, gender, gender identity, gender expression, or sexual orientation of the victim and harassment based on pregnancy, childbirth, or related medical conditions.

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation, and correction of sexual harassment, including but not limited to:

1. Providing training to all staff in accordance with law and administrative regulation.
2. Publicizing and disseminating the district's sexual harassment policy to staff.
3. Ensuring prompt, thorough, equitable, and fair investigation of complaints
4. Taking timely and appropriate corrective/remedial actions which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments.

The Superintendent or designee shall periodically evaluate the effectiveness of the district's strategies to prevent and address harassment. Such evaluation may involve conducting regular anonymous employee surveys to assess whether harassment is occurring or is perceived to be tolerated, partnering with researchers or other agencies with the needed expertise to evaluate the district's prevention strategies, and using any other effective tool for receiving feedback on systems and/or processes. As necessary, changes shall be made to the harassment policy, complaint procedures, or training.

### Sexual Harassment Reports and Complaints

Any district employee who feels that he/she has been sexually harassed in the performance of their district responsibilities or who has knowledge of any incident of sexual harassment by or against another employee shall immediately report the incident to his/her supervisor, the principal, other district administrator, or the district's Title IX Coordinator. However, an employee may bypass his/her supervisor in filing a complaint if the supervisor is the subject of the complaint. A supervisor, principal, or district administrator who receives a harassment complaint shall promptly notify the Title IX Coordinator.

Once notified, the Title IX Coordinator shall ensure the complaint or allegation is addressed through AR 4119.12/4219.12/4319.12 – Title IX Sexual Harassment Complaint Procedures or AR 4030- Nondiscrimination in Employment, as applicable. Because a complaint or allegation that is dismissed or denied under the Title IX complaint procedure may still be subject to consideration under state law, the Title IX Coordinator shall ensure that any implementation of AR 4119.12/4219.12/4319.12 concurrently meets the requirements of AR 4030.

Notwithstanding the above, BP/AR 4119.12/4219.12/4319.12 and 4030 shall under no circumstances be used to resolve complaints brought by, on behalf of, or against students. All complaints brought by, on behalf of, or against students that allege “sexual harassment” as that term is defined in the federal regulations implementing Title IX of the Education Amendments of 1972 (see 34 C.F.R. § 106, et seq.) shall be investigated and resolved under BP/AR 5145.71. All complaints brought by, on behalf of, or against students that do not meet the definition of “sexual harassment” as set forth in the Title IX implementing regulations shall be investigated and resolved under BP/AR 1312.3.

(cf. 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaints)

The Title IX Coordinator shall offer supportive measures to the complainant and respondent, as deemed appropriate under the circumstances.

Upon investigation of a sexual harassment complaint, any district employee who engages, or participates in sexual harassment, or who aids, abets, incites, compels, or coerces another to commit sexual harassment in violation of this policy is subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Reports) (cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4218 -

Dismissal/Suspension/Disciplinary Action)

#### Regulation 4119.12: Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures

The complaint procedures described in this administrative regulation shall be used to address any complaint governed by Title IX of the Education Amendments of 1972 alleging that a district employee, while in an education program or activity in which a district school exercises substantial control over the context and respondent, was subjected to one or more of the following forms of sexual harassment: (34 CFR 106.30, 106.44)

1. A district employee conditioning the provision of a district aid, benefit, or service on a person's participation in unwelcome sexual conduct
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291 (cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

All other sexual harassment complaints or allegations shall be investigated and resolved in accordance with AR 4030

- Nondiscrimination in Employment. The determination of whether the allegations meet the definition of sexual harassment under Title IX shall be made by the district's Title IX Coordinator.

(cf. 4030 - Nondiscrimination in Employment)

Because the complainant has a right to pursue a complaint under AR 4030 for any allegation that is dismissed or denied under the Title IX complaint procedure, the Title IX Coordinator shall ensure that all requirements and timelines for AR 4030 are concurrently met while implementing the Title IX procedure.

#### Reporting Allegations/Filing a Formal Complaint

An employee who is the alleged victim of sexual harassment may submit a report of sexual harassment to the district's Title IX Coordinator using the contact information listed in AR 4119.11/4219.11/4319.11 - Sexual Harassment or to the employee's direct supervisor or other district administrator, who shall forward the report to the Title IX Coordinator within one day of receiving the report. Upon receiving such a report, the Title IX Coordinator shall inform the complainant of the right to file a formal complaint and the process for filing a formal complaint.

A formal complaint, with the complainant's physical or digital signature, may be filed with the Title IX Coordinator in person, by mail, by email, or by any other method authorized by the district. (34 CFR 106.30)

Even if the alleged victim chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations when a safety threat exists. In addition, the Title IX Coordinator may file a formal complaint in other situations as permitted under the Title IX regulations, including as part of the district's obligation to not be deliberately indifferent to known allegations of sexual harassment. In such cases, the Title IX Coordinator shall provide the alleged victim notices as required by the Title IX regulations at specific points in the complaint process.

The Title IX Coordinator, investigator, decision-maker, or a facilitator of an informal resolution process shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. Such persons shall receive training in accordance with 34 CFR 106.45. (34 CFR 106.45)

#### Supportive Measures

Upon receipt of a report of Title IX sexual harassment, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures and shall consider the complainant's wishes with respect to the supportive measures implemented. Supportive measures shall be offered as appropriate, as reasonably available, and without charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures shall be nondisciplinary, nonpunitive, and not unreasonably burden the other party, including measures designed to protect the safety of all parties or the district's educational environment or to deter sexual harassment. Supportive measures may include, but are not limited to, counseling, extensions of deadlines, modifications of work schedules, mutual restrictions on contact, changes in work locations, leaves of absence, increased security, and monitoring of certain areas of the campus. (34 CFR 106.30, 106.44)

The district shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the district's ability to provide the supportive measures. (34 CFR 106.30)

#### Emergency Removal

If a district employee is the respondent, the employee may be placed on administrative leave during the pendency of the formal complaint process. (34 CFR 106.44)

If the respondent is a student, the district may, on an emergency basis, remove the student from the district's education program or activity, provided that the district conducts an individualized safety and risk analysis, determines that removal is justified due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations, and provides the student with notice and an opportunity to challenge the decision immediately following the removal. This authority to remove a student does not modify a student's rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973. (34 CFR 106.44)

#### Dismissal of Complaint

The Title IX Coordinator shall dismiss a formal complaint if the alleged conduct would not constitute sexual harassment as defined in

34 CFR 106.30 even if proved. The Title IX Coordinator shall also dismiss any complaint in which the alleged conduct did not occur in the district's education program or activity or did not occur against a person in the United States, and may dismiss a formal complaint if the complainant notifies the district in writing that the complainant would like to withdraw the complaint or any allegations in the complaint, the respondent is no longer employed by the district, or sufficient circumstances prevent the district from gathering evidence sufficient to reach a determination with regard to the complaint. (34 CFR 106.45)

Upon dismissal, the Title IX Coordinator shall promptly send written notice of the dismissal and the reasons for the dismissal simultaneously to the parties and shall inform them of their right to appeal the dismissal of a formal complaint or any allegation in the complaint in accordance with the appeal procedures described in the section "Appeals" below. (34 CFR 106.45)

If a complaint is dismissed, the conduct may still be addressed pursuant to AR 4030 - Nondiscrimination in Employment as applicable.

#### Informal Resolution Process

When a formal complaint of sexual harassment is filed, the district may offer an informal resolution process, such as mediation, at any time prior to reaching a determination regarding responsibility. The district shall not require a party to participate in the informal resolution process or to waive the right to an investigation and adjudication of a formal complaint. (34 CFR 106.45)

The district may facilitate an informal resolution process provided that the district: (34 CFR 106.45)

1. Provides the parties with written notice disclosing the allegations, the requirements of the informal resolution process, the right to withdraw from the informal process and resume the formal complaint process, and any consequences resulting from participating in the informal resolution process, including that records will be maintained or could be shared.
2. Obtains the parties' voluntary, written consent to the informal resolution process

#### Written Notice

If a formal complaint is filed, the Title IX Coordinator shall provide the known parties with written notice of the following: (34 CFR 106.45)

1. The district's complaint process, including any informal resolution process
2. The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known. Such notice shall be provided with sufficient time for the parties to prepare a response before any initial interview. If, during the course of the investigation, new Title IX allegations arise about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.
3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process
4. The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an attorney, and the ability to inspect and review evidence
5. The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process

The above notice shall also include the name of the investigator, facilitator of an informal process, and decision-maker and shall inform the parties that, if at any time a party has concerns regarding conflict of interest or bias regarding any of these persons, the party should immediately notify the Title IX Coordinator.

#### Investigation Procedures

During the investigation process, the district's designated investigator shall: (34 CFR 106.45)

1. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and

exculpatory evidence

2. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence
3. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney
4. Not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding, although the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as the restrictions apply equally to both parties
5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate
6. Send in an electronic format or hard copy to both parties and their advisors, if any, the evidence obtained as part of the investigation that is directly related to the allegations raised in the complaint, and provide the parties at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report
7. Objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and determine credibility in a manner that is not based on a person's status as a complainant, respondent, or witness
8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review and written response

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. (34 CFR 106.45)

Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.

If the complaint is against an employee, rights conferred under an applicable collective bargaining agreement shall be applied to the extent they do not conflict with the Title IX requirements.

#### Written Decision

The Superintendent shall designate an employee as the decision-maker to determine responsibility for the alleged conduct, who shall not be the Title IX Coordinator or a person involved in the investigation of the matter. (34 CFR 106.45)

After the investigative report has been sent to the parties but before reaching a determination regarding responsibility, the decision-maker shall afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party.

The decision-maker shall issue, and simultaneously provide to both parties, a written decision as to whether the respondent is responsible for the alleged conduct. (34 CFR 106.45)

The written decision shall be issued within 60 calendar days of the receipt of the complaint.

The timeline may be temporarily extended for good cause with written notice to the complainant and respondent of the extension and the reasons for the action. (34 CFR 106.45)

In making this determination, the decision-maker shall use the "preponderance of the evidence" standard for all formal complaints of sexual harassment. (34 CFR 106.45)

The written decision shall include the following: (34 CFR 106.45)

1. Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR 106.30



2. A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the district includes hearings as part of the grievance process
3. Findings of fact supporting the determination
4. Conclusions regarding the application of the district's code of conduct or policies to the facts
5. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's educational program or activity will be provided by the district to the complainant
6. The district's procedures and permissible bases for the complainant and respondent to appeal

## Appeals

Either party may appeal the district's decision or dismissal of a formal complaint or any allegation in the complaint, if the party believes that a procedural irregularity affected the outcome, new evidence is available that could affect the outcome, or a conflict of interest or bias by the Title IX Coordinator, investigator(s), or decision-maker(s) affected the outcome. If an appeal is filed, the district shall: (34 CFR 106.45)

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties
2. Ensure that the decision-maker(s) for the appeal is trained in accordance with 34 CFR 106.45 and is not the same decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator
3. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome
4. Issue a written decision describing the result of the appeal and the rationale for the result
5. Provide the written decision simultaneously to both parties

An appeal must be filed in writing within 10 calendar days of receiving the notice of the decision or dismissal, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered.

A written decision shall be provided to the parties within 20 calendar days from the receipt of the appeal.

Either party has the right to file a complaint with the U.S. Department of Education's Office for Civil Rights within 180 days of the date of the most recently alleged misconduct.

The complainant shall be advised of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal antidiscrimination laws, if applicable.

## Remedies

When a determination of responsibility for sexual harassment has been made against the respondent, the district shall provide remedies to the complainant. Such remedies may include the same individualized services described above in the section "Supportive Measures," but need not be nondisciplinary or nonpunitive and need not avoid burdening the respondent. (34 CFR 106.45)

## Disciplinary Actions

The district shall not impose any disciplinary sanctions or other actions against a respondent, other than supportive measures as described above in the section "Supportive Measures," until the complaint procedure has been completed and a determination of responsibility has been made. (34 CFR 106.44)

When an employee is found to have committed sexual harassment or retaliation, the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Report)

(cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4119.11/4219.11/4319.11 - Sexual Harassment) (cf. 4218 - Dismissal/Suspension/Disciplinary Action)

## Record-Keeping

The Superintendent or designee shall maintain, for a period of seven years: (34 CFR 106.45)

1. A record of all reported cases and Title IX investigations of sexual harassment, any determinations of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary sanctions imposed, any remedies provided to the complainant, and any appeal or informal resolution and the results therefrom.
2. A record of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment, including the district's basis for its conclusion that its response was not deliberately indifferent, the measures taken that were designed to restore or preserve equal access to the education program or activity, and, if no supportive measures were provided to the complainant, the reasons that such a response was not unreasonable in light of the known circumstances.
3. All materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process. The district shall make such training materials publicly available on its web site, or if the district does not maintain a web site, available upon request by members of the public.

(cf. 1113 - District and School Web Sites) (cf. 3580 - District Records)

#### **(F) School-wide Dress Code Relating to Gang-Related Apparel (EC 35183)**

Policy 5132.16: Student Dress Guidelines

The Governing Board believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Students' clothing must not present a health or safety hazard or a distraction which would interfere with the educational process.

Students and parents/guardians shall be informed about dress and grooming standards at the beginning of the school year and whenever these standards are revised. A student who violates these standards shall be subject to appropriate 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 dress code may be included as part of the school safety plan and must be presented to the Board for approval. The Board shall approve the plan upon determining that it is necessary to protect the health and safety of the school's students.

##### **Uniforms**

The Board recognizes that, in order to promote student safety and discourage peer rivalry and/or gang activity, the principal, staff and parent/guardian at a school site may wish to establish a reasonable dress code, which may include voluntary school uniforms.

Dress codes, which include voluntary school uniforms, may be included as part of the school safety plan submitted as required.

The Superintendent or designee shall establish procedures that schools, parents and guardians will follow if they decide to participate with the voluntary school uniform policy. Students shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardian decide not to participate.

The Governing Board feels that there is nothing inherently wrong with dress or color of dress, but when student's dress serves to intimidate or impede the rights of other students it will be determined that dress is in violation of this policy. A student may not remain at school dressed in a manner which (1) creates a safety hazard for said student or for other students at school, and/or (2) when the dress constitutes a serious and unnecessary distraction to the learning process or tends to disrupt campus order

When the site administrator/designee determines that a student's attire is in violation of this policy, the student will be required to modify his/her clothing and/or apparel in such a manner that it no longer violates this policy. If necessary, the student may be taken or sent home with parental permission to modify unacceptable dress and return to school. Refusal to take steps as described in this policy shall be cause for disciplinary action against the student. Any such disciplinary action shall be handled pursuant to existing student disciplinary policy

Parents/guardians have primary responsibility to see that students are properly attired for school. School district personnel have the responsibility for maintaining proper and appropriate conditions conducive to learning. Hence, the following guidelines will be implemented in all district schools.

1. Shoes will be worn at all times. A substantial sole is required and enclosed toe and heel footwear are highly encouraged.
2. Extremely brief garments that are distracting to the educational environment are not appropriate. Clothing shall be sufficient to conceal undergarments at all times.
3. Clothing or accessories shall be free of writing, pictures or any other insignia which are crude, violent, obscene or sexually suggestive or which advocate racial, ethnic or religious prejudice or the use of tobacco, drugs or alcohol.
4. Earrings, jewelry, or accessories which present a safety hazard to the wearer or others are not suitable for school wear.
5. Only prescription sunglasses may be worn in class. Other types of sunglasses may be worn on campus outside of class.
6. Identified gang attire such as bandannas, haircuts or hair rollers, or any gang paraphernalia are prohibited.

Students are allowed to wear sun protective clothing, including hats, while outdoors during the school day. Each school site will develop a policy indicating the type of sun protective hats that are permitted.

No grade of a student participating in a physical education class shall be adversely affected if the student does not wear standardized physical education apparel because of circumstances beyond the student's control. (Education Code 49066) All clothing worn during physical education shall meet reasonable safety standards.

The purpose of adopting these Student Dress Guidelines is not to infringe on any individual student's rights to freedom of expression, but rather to encourage students to dress appropriately and come to school properly prepared for participating in the educational process.

#### Gang-Related Apparel

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed as needed and updated as necessary.

#### Uniforms

In schools where a majority of parents respond and indicate on a survey that they desire to establish a voluntary school-wide uniform dress code, the principal, staff and the parents/guardians of the individual school site shall:

1. Jointly select the specific uniform to be worn. (Education Code 35183)
2. Describe the uniform parts and identify local vendors who sell those pieces of clothing. A description of the implementation of the voluntary uniform dress code will be submitted to the superintendent's designee including:
  - a. The process for parent notification
  - b. Positive procedures that will be used to encourage students to participate with the voluntary uniform dress code
3. A description of the uniform and a list of costs for each competitively priced item of clothing as provided by a variety of vendors will be sent to parents.
4. Parents will be notified that this is a voluntary uniform dress code and that students not participating shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardians so decide.

#### Parent Notification

The principal shall give parents/guardian at least six months notice before a school site implements a voluntary school uniform dress code. (Education Code 35183)

## **(H) A Safe and Orderly School Environment Conducive to Learning (EC 35294.2)**

### **Component:**

Physical Environment

#### **The Schools' Location and Physical Environment**

Redlands eAcademy at the Redlands East Valley High School is located in the Redlands area of San Bernardino County that has an average crime rate and poverty level. The immediate area round the school includes Present safety hazards include .

#### **Description of School Grounds**

The school site encompasses 58.3 acres. The grounds are grass, concrete and asphalt and includes basketball and volleyball courts, baseball diamonds and a lined track. There are several wings and/or clusters of classrooms including 86 classrooms 58 re-locatable classrooms. Other ancillary structures include the gym, custodial area, Wildcat café, theater, auto shop, Angel's Closet in the T-wing. e-Academy is housed in the S-wing and five J-wing classrooms. e-Academy is a alternative learning environment/school that is open to all RUSD students.

During the school day, staff members and administrators shall provide campus supervision. Identified problem areas receive increased supervision to reduce discipline, crime, or other school safety concerns.

It shall be the practice of Redlands East Valley High School to remove all graffiti from school property before pupils arrive to begin their school day. Other acts of vandalism are promptly addressed.

#### **Maintenance of School Buildings/Classrooms**

The school's physical facility is well maintained and generally looks neat and clean. The school was most recently painted in 2023 renovated during the 2018 year. District personnel periodically examine the school's physical facility and help eliminate obstacles to school safety. Additionally, health and fire department inspectors contribute to school safety.

Site personnel continue to maintain facilities and the cleanliness of the campus.

#### **Internal Security Procedures**

Redlands eAcademy has established procedures in the following areas: California Safe School Assessment (CSSA) reporting procedures, suspension and expulsion procedures, inventory system, and .

Redlands eAcademy crime statistics reflect a total of 0 crimes reported during the 2023-24 school year.

Keeping reportable crimes at a minimum requires constant vigilance. The following strategies will be utilized in achieving this goal

Redlands eAcademy maintains a copy of the district's sexual harassment policy in the main office/principal's office and the policy is available on request. The District's Sexual Harassment Policy contains dissemination plans, applicable definitions, reporting requirements, investigation procedures, enforcement regulations, and information related to suspension and/or expulsion for sexual harassment of or by pupils. Additionally, a notice summarizing this sexual harassment policy appears in the Parent & Student Handbook, The parent student handbook is distributed at the beginning of each school year to all parents and pupils.

To ensure the safety of pupils and staff, all visitors to the campus, except pupils of the school and staff members, shall register immediately upon entering any school building or grounds when school is in session. District employees, not assigned to Redlands eAcademy shall wear appropriate identification badges while on campus conducting business.

Discipline procedures shall focus on finding the cause of problems and working with all concerned to reach the proper, lawful solutions. The school's discipline plan begins at the classroom level. Teachers shall use a visible classroom management plan to communicate classroom rules, promote positive pupil conduct, and reduce unacceptable conduct. Appropriate consequences are administered based on the seriousness of the pupil's misbehavior.

Pupil conduct standards and consequences for Redlands eAcademy are specifically described in this Comprehensive Schools Safety Plan including: (a) the adopted school discipline rules and procedures, (b) District Disciplinary Guidelines, and (c) the adopted school-wide dress code.

Pupils may be suspended, transferred to another school, or recommended for expulsion or for certain acts. For specific student violations, a mandatory expulsion recommendation shall be submitted by the administration of Redlands eAcademy.

Site administrators contribute to a positive school climate, promote positive pupil behavior, and help reduce inappropriate conduct. The principal/designee uses available district and other appropriate records to inform teachers of each pupil identified under E.C. 49079.

Law enforcement is contacted and consulted to help maintain and to promote a safe and orderly school environment. Redlands eAcademy employees comply with all legal mandates, regulations, and reporting requirements for all instances of suspected child abuse.

If appropriate, additional internal security procedures affecting the integrity of the school facility include:

Community involvement is encouraged to help increase school safety.

Inventory System - Engraved ID, Security Storage  
Most school-site equipment has a metal ID tag or a bar cod sticker adhered to its surface. These items are inventoried annually and there is an established accountability system. Office and classroom supplies are secured.

**Element:**

**Opportunity for Improvement:**

| Objectives | Action Steps | Resources | Lead Person | Evaluation |
|------------|--------------|-----------|-------------|------------|
|            |              |           |             |            |

**Component:**  
School Climate

The School’s Social Environment  
Leadership at Redlands eAcademy is a shared process. A proactive role is assumed in all phases of the school operation. The current management team is committed to developing Redlands eAcademy toward excellence in the areas of academic and social behavior.

The principal sets a positive tone for the school, guides the staff and works closely with them on curriculum and school safety issues. The school site’s organizational structure is open and flexible contributing to sensitivity concerning school safety issues and promoting a safe, orderly school environment conducive to learning.

Disaster Procedures, Routine and Emergency  
A contingency plan for emergencies is contained in a handbook available to each staff member. The District’s Emergency Response Plan - (ERP Plan) is listed at the last section of this plan. The plan is reviewed at the beginning of each school year. This plan also contains available district and outside agency resources, emergency disaster procedures and information on Standardized Emergency Management System (SEMS).

Classroom Organization and Structure

Redlands eAcademy teachers provide a varied learning environment in their classrooms. Teachers use a variety of teaching strategies including:

The teachers at Redlands eAcademy are highly qualified, with many teachers holding advanced degrees. The staff is united in their desire to provide quality education for all pupils. Classrooms and teachers provide safe, orderly learning environment, enhance the experience of learning, and promote positive interactions amongst pupil and staff. Instructional time is maximized and disruptions are minimized.

The School’s Cultural Environment

There is a high level of cohesiveness among the staff members at Redlands eAcademy. Cooperation and support between teachers and the administration is evident. Efforts are made by the administration and staff to show concern for all pupils.

All pupils are expected to behave in a manner that promotes safety and order. Pupils are encouraged to bring problems to the principal, assistant principal, counselor, teacher or other staff members. The everyday goal is for the staff to be proactive rather than reactive in all situations of concern.

The academic and behavior efforts of pupils are recognized and rewarded.

Cultural diversity is celebrated throughout the year by school activities that are done during and after the school - afterschool activities include parent invitations.

Element:

Opportunity for Improvement:

| Objectives | Action Steps | Resources | Lead Person | Evaluation |
|------------|--------------|-----------|-------------|------------|
|            |              |           |             |            |

(I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5)

Redlands eAcademy Student Conduct Code

Procedures to Ensure a Safe and Orderly Environment

Rules and Procedures on School Discipline

Philosophy of Discipline

- Behavior expectations and the consequences for not meeting expectations must be clearly communicated to all students and their parents (in writing as well as verbally).
- The severity of consequences for violating behavior expectations increases with each incident of inappropriate behavior.
- The consequences for violating behavior expectations should be severe enough to discourage students from making poor behavior decisions.
- Expectations and consequences should permit students an opportunity to eliminate inappropriate behavior.

Additionally, the school staff recognizes that the middle school years are a transition time from adolescence to young adulthood. As a part of this transition, the student is given greater opportunities to be responsible and demonstrate independence and good judgment. The structure of our behavior expectations (in the classroom as well as school wide) is meant to encourage students to be responsible. The first step in many instances of inappropriate behavior (those considered to be "minor") is a simple warning ("Your behavior is unacceptable. Please stop such behavior"). It is only when a student ignores such warnings and continues to choose to act irresponsibly (like a child rather than an emerging adult) that we involve parents and implement consequences.

#### Elements of a Good Discipline Program

1. The program is focused upon making the entire campus, especially the classroom, a safe, supportive and orderly environment for learning for students and staff.
2. Classroom authority is retained by the classroom teacher. (Administration's role is to support, not to replace.)
3. Rules and procedures are clearly understood by staff and students.
4. All staff members will acknowledge and take appropriate action on any minor or major infraction of the school rules.
5. Rules and procedures comply with State Law and District policies.
6. The program recognizes the responsibilities and the rights of students and staff.
7. Program is structured to keep students in class and engaged in the educational process.
8. Rules are enforced:
  - A. by all staff members at all times.
  - B. strictly, but not rigidly (beware of "automatics").
  - C. in substantial part by adult modeling.
  - D. using techniques that promote the growth of positive self-esteem.
  - E. as close to the source as is possible.
  - F. by keeping parents informed.
9. The discipline program is understood, endorsed, and supported by staff, parents, and students.

#### PRINCIPAL'S STATEMENT TO EDMS STAFF

##### Expectations in Developing & Maintaining Discipline

As Principal of our school, I will expect;

Each teacher to have a defined system of classroom management. A written description of this system, including representative examples of the progressive interventions you intend to employ, will be approved and filed by me. Whenever possible and appropriate, teachers are encouraged to use standards and systems that are consistent with other village/department members.

You can expect

Each administrator to assist and support you in every reasonable way in developing, implementing, and refining that system as needed.

I will expect

That when you refer a student for discipline:

1. The student has been made fully aware of classroom and school rules and knows what rules he/she has violated.
2. Teachers within a village will discuss any continuing behavior problems and schedule a team conference with the student and parents when appropriate.
3. That information will be provided on the referral regarding previous actions you have taken regarding this specific issue.
4. You have exhausted the interventions at your disposal (i.e., you have done everything you can do) and you have followed the guidelines established by the administration and staff on what constitutes an appropriate behavior referral.
5. The behavior was so serious or so blatant as to make immediate removal from the classroom necessary.
6. The written referral will be explicit in stating the offense(s).
7. You will send the student out of class with a referral only if his/her continued presence in the class would disrupt or prevent teaching and/or learning.
8. If necessary, the referral will be delivered to the office at a time convenient to the staff member so that the issue may be handled most efficiently, causing a minimum of lost class time.

You can expect

1. Each administrator to support your position in every reasonable way.
2. A response time on your referral of one, or at most, two days.

3. The availability of an administrator to discuss unresolved referrals after school on any given day.
4. That the administrator will exercise independent judgment regarding disposition of referrals.

I will expect

1. That each teacher will go to the doorway of his/her classroom after each class period as often as possible and assume control of student behavior in the corridor.
2. That each staff member will hold students accountable for their behavior on the school grounds at all times.

You can expect

1. Administrator support, investigation, and follow-through as indicated.
2. A response to referrals from incidents outside the classroom to be the same as to those within.

Jeffrey Im  
Principal

#### WHAT TO DO WHEN PROBLEMS APPEAR

Both behavioral and academic problems are present in some of our students. Teachers often ask for guidelines for dealing with these problems. Here they are:

1. Talk to the administrator assigned to your grade level.
2. Call parents at first sign of concern. Inform the parents of your observations, ask for their ideas, assistance, and support in serving the student. Keep a log of your calls.
3. If possible, talk privately to the student about your concerns.
4. Behavior concerns—look through students' CUM file. Any official suspensions will be in file, also look for teacher comments on report cards. Look for patterns of behavior. We use In-House Suspension whenever possible, as it is preferable to having students at home unattended—and it saves the district money. Serious infractions (fighting, threats, etc.) do result in official suspension. Unresponsive students can be moved to other schools or expelled.
5. Referrals—please remember if you write a student referral, you are required to call the parents. You are writing the referral and can answer the parents' questions firsthand. Administrators will also call parents, but we can only give secondhand information on the incident.
6. Academic Concerns—again, look through student CUM. This will contain test scores, report cards, and a student history. You may want to ask the grade level administrator to schedule a Student Study Team (SST). This will involve a meeting with the student, parents, administrators, students' teachers, and perhaps the psychologist

#### Conduct Code Procedures



**(K) Hate Crime Reporting Procedures and Policies**

### Policy 5145.3: Nondiscrimination/Harassment

The Governing Board desires to provide a safe school environment that allows all students equal access to and opportunities in the district's academic, extracurricular, and other educational support programs, services, and activities. The Board prohibits unlawful discrimination in any education program or activity, at or on the way to and from any district school or school activity, related to school activity or school attendance occurring within a district school, and which occurs 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 includes 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 or parental status, pregnancy, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression or genetic information; or association with a person or group with one or more of these actual or perceived characteristics.

Title IX of the Education Amendments of 1972 is a source of the obligation not to discriminate on the basis of sex, including gender, pregnancy and related conditions, sex stereotypes, gender identity, transgender status, sexual orientation, and parental status. Complaints alleging unlawful discrimination on the basis of race, color, national origin, sex, age, or disability or for retaliation for the purpose of interfering with any right or privilege protected by the laws enforced by the Office for Civil Rights can be filed directly with the Assistant Secretary for the Office for Civil Rights at OCR@ed.gov or <https://ocrcas.ed.gov>.

(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 constituting unlawful discrimination or harassment 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 one of the categories listed above. Unlawful discrimination also occurs when prohibited conduct is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect or purpose of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely or negatively affects a student's educational opportunities, or academic performance.

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. In addition, the Superintendent or designee shall post the district's policies prohibiting discrimination, harassment, intimidation, and bullying and other required information on the district's web site in a manner that is easily accessible to parents/guardians and students, in accordance with law and the accompanying administrative regulation.

The Superintendent or designee shall provide training and/or information on the scope and use of the policy and complaint procedures and take other measures designed to increase the school community's understanding of the requirements of law related to discrimination. The Superintendent or designee shall regularly review the implementation of the district's nondiscrimination policies and practices and, as necessary, shall take action to remove any identified barrier to student access to or participation in the district's educational program. The Superintendent or designee shall report the findings and recommendations to the Board after each review.

(cf. 1312.3 - Uniform Complaint Procedures) (cf. 1330 - Use of Facilities) (cf. 4131/4231/4331 - Staff Development)  
(cf. 6145 - Extracurricular and Cocurricular Activities) (cf. 6145.2 - Athletic Competition)  
(cf. 6164.2 - Guidance/Counseling Services)

Regardless of whether a complainant complies with the writing, timeline, and/or other formal filing requirements, all complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, shall be investigated and prompt action taken to stop the discrimination, prevent recurrence, and address any continuing effect on students.

Students who engage in unlawful discrimination, including discriminatory harassment, intimidation, bullying, or retaliation, 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. School personnel shall take immediate steps to intervene, when safe to do so, whenever site personnel witness an act of discrimination, harassment, intimidation, or bullying. Any employee who permits or engages in prohibited discrimination, including discriminatory harassment, intimidation, bullying, or retaliation, shall be subject to disciplinary action, up to and including dismissal.

(cf. 4118 - 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. The record shall be maintained for a minimum of ten years.

The record shall be maintained in a centralized, electronic tracking and response system (centralized system) for all oral and written complaints of sex discrimination, and sexual harassment, assault, intimidation, bullying or abuse, and any retaliation related to the submission of such reports and complaints, including those submitted anonymously.

The centralized system shall contain all documents provided or generated during an investigation, resolution, or appeal.  
(cf. 3580 - District Records)

#### Regulation 5145.3: Nondiscrimination/Harassment

The district designates the Assistant Superintendent of Compliance as the employee 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 Assistant Superintendent of Compliance shall also serve as the compliance officer 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 and any complaints of retaliation for reporting, complaining, or participating in the grievance process related such allegations. The Assistant Superintendent of Compliance may be contacted at: (Education Code 234.1; 5 CCR 4621)

Dr. Rudy Wilson  
Assistant Superintendent of Compliance, Redlands Unified School District  
20 W. Lugonia Avenue Redlands, CA 92374  
(909) 307-5300  
compliance@redlands.k12.ca.us

(cf. 1312.1 - Complaints Concerning District Employees) (cf. 1312.3 - Uniform Complaint Procedures) (cf. 5145.7 - Sexual

## Harassment)

(cf. 5145.71 - Title IX Sexual Harassment Complaint Procedures)

### Measures to Prevent Discrimination

To prevent unlawful discrimination, including discriminating 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 website in a manner that is easily accessible to parents/guardians and students (Education Code 234.6)

(cf. 0410 - Nondiscrimination in District Programs and Activities) (cf. 1113 - District and School Websites) (cf. 1114 - District-Sponsored Social Media) (cf. 5131.2 - Bullying)  
(cf. 5145.9 - Hate-Motivated Behavior)

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 website 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 website, 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 websites 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:

(1) An explanation of the statute of limitations within which a complaint must be filed after an alleged incident of discrimination has occurred and how a complaint may be filed beyond the statute of limitations

(2) An explanation of how the complaint will be investigated and how the complainant may further pursue the complaint, including web links to this information on the OCR's website

(3) A web link to the OCR complaints form and the contact information for the office, including the phone number and email address for the office

d. A link to the Title IX information included on the California Department of Education's (CDE) website

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, including transgender and gender-nonconforming students. The notice shall inform students and parents/guardians that they may request to meet with the Assistant Superintendent of Compliance to determine how best to accommodate or resolve concerns that may arise from the district's implementation of its nondiscrimination policies. The notice shall also inform all students and parents/guardians that, to the extent possible, the district will address any individual student's interests and concerns in private.

(cf. 5145.6 - Parental Notifications)

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, including transgender and gender-nonconforming students.

(cf. 1240 - Volunteer Assistance)

(cf. 4131/4231/4331 - Staff Development)

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)

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

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 (cf. 5131.5 - Vandalism and Graffiti)
2. Providing training to students, staff, and parents/guardians about how to recognize unlawful discrimination, how to report it or file a complaint, and how to respond
3. Disseminating and/or summarizing the district's policy and regulation regarding unlawful discrimination
4. Consistent with laws regarding the confidentiality of student and personnel records, communicating to students, parents/guardians, and the community the school's response plan to unlawful discrimination or harassment

(cf. 4112.6/4212.6/4312.6 - Personnel Files)

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information) (cf. 5125 - Student Records)

5. Taking appropriate disciplinary action against students, employees, and anyone determined to have engaged in wrongdoing in violation of district policy, including any student who is found to have filed a complaint of discrimination that he/she knew was not true

(cf. 4118/4218 - Dismissal/Suspension/Disciplinary Action) (cf. 5144 - Discipline) (cf. 5144.1 - Suspension and Expulsion/Due Process) (cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities)) (cf. 6159.4 - Behavioral Interventions for Special Education Students)

#### Process for Initiating and Responding to Complaints

Any student who feels that he/she has been subjected to unlawful discrimination described above or in district policy is strongly encouraged to immediately contact the Assistant Superintendent of Compliance, the principal, or any other staff member. In addition, any student who observes any such incident is strongly encouraged to report the incident to the Assistant Superintendent of Compliance 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 Assistant Superintendent of Compliance and the principal, within one 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 Assistant Superintendent of Compliance, the principal or Assistant Superintendent of Compliance 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 Assistant Superintendent of Compliance 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, Assistant Superintendent of Compliance, or any other person to whom a report would ordinarily be made or complaint filed shall instead be made to or filed with

the Superintendent or designee who shall determine how the complaint will be investigated.

(cf. 5141.4 - Child Abuse Prevention and Reporting) Transgender and Gender-Nonconforming Students

Gender identity of a student means the student's gender-related identity, appearance, or behavior, as determined from the student's internal sense 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 or not 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.

Transgender student means a student whose gender identity is different from the gender assigned at birth.

Gender-nonconforming student means a student whose gender expression differs from stereotypical expectations.

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 transgender status to individuals who do not have a legitimate need for the information, without the student's consent or when doing so would place the student at risk of physical, emotional, or psychological harm
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 transgender and gender- nonconforming students.

Examples of bases for complaints include, but are not limited to, the above list, as well as improper rejection by the district of a student's asserted gender identity, denial of access to facilities that correspond with a student's gender identity, improper disclosure of a student's transgender status, discriminatory enforcement of a dress code, and other instances of gender-based harassment.

To ensure that transgender and gender-nonconforming students are afforded the same rights, benefits, and protections provided to all students by law and Board policy, the district shall address each situation on a case-by- case basis, in accordance with the following guidelines:

1. Right to privacy: A student's transgender or gender-nonconforming status is the student's private information and the district will only disclose the information to others with the student's prior written consent, except when the disclosure is otherwise required by law or when the district has compelling evidence that disclosure is necessary to preserve the student's physical or mental well-being. In any case, the district shall only allow disclosure of a student's personally identifiable information to employees with a legitimate educational interest as determined by the district pursuant to 34 CFR 99.31. Any district employee to whom a student's transgender or gender- nonconforming status is disclosed shall keep the student's information confidential. When disclosure of a student's gender identity is made to a district employee by a student, the employee shall seek the student's permission to notify the Assistant Superintendent of Compliance . If the student refuses to give permission, the employee shall keep the student's information confidential, unless he/she is required to disclose or report the student's information pursuant to this administrative regulation, and shall inform the student that honoring the student's request may limit the district's ability to meet the student's needs related to the student's status as a transgender or gender-nonconforming student. If the student permits the employee to notify the Assistant Superintendent of Compliance , the employee shall do so within three school days.

As appropriate, given the student's need for support, the Assistant Superintendent of Compliance may discuss with the student any need to disclose the student's 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.

(cf. 1340 - Access to District Records) (cf. 3580 - District Records)

2. Determining a Student's Gender Identity: The Assistant Superintendent of Compliance 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 Assistant Superintendent of Compliance 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 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 Assistant Superintendent of Compliance shall identify specific school site employee(s) to whom the student may report any problem related to the student's status as a transgender or gender-nonconforming individual, so that prompt action can be taken to address it. Alternatively, if appropriate and desired by the student, the school may form a support team for the student that will meet periodically to assess whether the arrangements for the student are meeting his/her educational needs and providing equal access to programs and activities, educate appropriate staff about the student's transition, and serve as a resource to the student to better protect the student from gender-based discrimination.

4. Accessibility to Sex-segregated Facilities, Programs, and Activities: When the district maintains sex- segregated facilities, such as restrooms and locker rooms, or offers sex-segregated programs and activities, such as physical education classes, intramural sports, and interscholastic athletic programs, students shall be permitted to access facilities and participate in programs and activities consistent with their gender identity. To address any student's privacy concerns in using sex-segregated facilities, the district shall offer available options such as a gender-neutral or single-use restroom or changing area, a bathroom stall with a door, an area in the locker room separated by a curtain or screen, 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 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.

(cf. 6145 - Extracurricular and Co-curricular Activities) (cf. 6145.2 - Athletic Competition) (cf. 6153 - School-Sponsored Trips)

(cf. 7110 - Facilities Master Plan)

5. Student Records: A student's legal name or gender as entered on the mandatory student record required pursuant to 5 CCR 432 shall only be changed with proper documentation. When a student presents government- issued documentation of a name and/or gender change or submits a request for a name and/or gender change

through the process specified in Education Code 49070, the district shall update the student's records. (Education Code 49062.5, 49070)

(cf. 5125 - Student Records)

(cf. 5125.1 - Release of Directory Information) (cf. 5125.3 - Challenging Student Records)

6. Names and Pronouns: If a student so chooses, district personnel shall be required to address the student by a name and the pronouns consistent with 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.

(cf. 5132 – Student Dress Guidelines)

#### **(J) Procedures to Prepare for Active Shooters**

Safe and Secure Mode YELLOW (Limit Outside Movement)

Safe and Secure Mode is a security procedure used to reduce student and staff movement outside school buildings. This may be due to a medical emergency, area disturbance, isolated site disturbance, etc. It is designed to allow for school to carry forward but have the ability to move to Lockdown quickly if needed. During the Safe and Secure mode, there is heightened vigilance on campus by all school staff.



Generally, recesses and outdoor activities are reduced. Parents/guardians can have access to their student(s) and may check them out of school if they see fit to do so.

- ? Teachers should continue teaching as normal
- ? Allow students restroom use with clear administrator/ teacher direction
- ? Increased available staff presence during passing periods and student dismissal
- ? Lunch/activities monitored more closely for movement outside of lunch area, unless site admin decides otherwise
- ? Standard inclement weather schedule/routine in place, unless site administrator/designee decides otherwise
- ? Perimeter gates, where applicable, will be locked and monitored by available staff, allowing for central access points
- ? PE classes will be monitored more closely for movement outside of PE area; classes may be moved off all fields into more secure locations (e.g., gym, class, & MPR)

#### Lock Down ORANGE (Prevent All Outside Movement)

Lock Down is called when a law enforcement event is happening in the vicinity of a school or on campus. With the support of law enforcement, a school site will call a Lock Down as a precautionary measure. This means all students and staff must stay inside behind locked doors; however, it does not mean that there is an active threat occurring on campus.

- ? Take a look outside your classroom and gather up any stray students in the hallways
- ? Ensure that your door is locked
- ? Project a calm demeanor to help students remain calm; reassure students that they are safe
- ? Do not allow anyone to leave the classroom
- ? Staff and parents/guardians frequently check their emails for updates from their site administrators
- ? If students are out on the playground or athletic fields, quickly move them to a secure classroom, locker room, or multi-purpose room
- ? Teachers continue to keep students engaged in learning

#### Critical Alert RED (Locks, Lights, Out of Sight)

Critical Alert is called when a significant, threatening event is happening on campus or adjacent to campus that creates a potential danger to students and staff. While this may be communicated to the school by law enforcement, it may also be determined by school officials on the scene. Critical Alert assumes that everyone is prepared for a potential significant threat/event on campus.

- ? Turn off or reduce lighting, so it will appear that the room is vacant
- ? Keep all students sitting on the floor, away from the door or windows
- ? Do not look out the windows
- ? Advise the students that there is a serious situation; project a calm demeanor and reassure students that you are taking steps to keep them safe
- ? Ensure that everyone in the room turns the ringer off on their cell phones
- ? Do not allow students to talk on their cell phones (keep room as quiet as possible)
- ? Limit calls to the school office; phones are being used to communicate with parents/guardians and first responders
- ? Quietly take roll and make a list of missing students and any extra students that are in your room. Email this list to your administrators and school site secretaries
- ? When staff determines, they will direct the evacuation of students they oversee to the designated area; each staff will make this determination based on their specific situation
- ? Do not open the door, even if someone knocks and claims to be a staff member (administrator/custodian will have a master key)
- ? If students are out on the PE field, do not return them to the locker room. Move them to a safe place (this may be the farthest part of the campus or off campus); Staff must remain with students until reunification

#### **Procedures for Preventing Acts of Bullying and Cyber-bullying**

Regulation 5131.2: Bullying

## Definitions

Bullying is an unwanted, aggressive behavior that involves a real or perceived imbalance of power between individuals with the intent to cause emotional or physical harm. Bullying can be physically, verbally, or socially/relationally harmful and involves repetition or potential repetition of a deliberate act. Bullying can involve intimidation and coercion.

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. Cyberbullying can be harmful to the online reputations of everyone involved, including the person who is cyberbullying and those participating in it.

Examples of the types of conduct that may constitute bullying and are prohibited by the district include, but are not limited to:

1. Physical bullying that inflicts harm upon a person's body or possessions, such as hitting, kicking, pinching, spitting, tripping, pushing, taking or breaking someone's possessions, or making cruel or rude hand gestures
2. Verbal bullying that includes saying or writing hurtful things, such as teasing, name-calling, inappropriate sexual comments, taunting, or threats to cause harm
3. Social/relational bullying that harms a person's reputation or relationships, such as leaving a person out of an activity on purpose, influencing others not to be friends with someone, spreading rumors, or embarrassing someone in public
4. Cyberbullying, such as sending demeaning or hateful text messages or emails, sending or spreading online rumors by email or by posting them on social networking sites or apps, posting embarrassing or explicit photos or videos online or on apps, or creating fake profiles can also be considered cyberbullying.

## 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
2. Providing to students, through student handbooks and other age-appropriate means, information about district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for engaging in bullying
3. Encouraging students to notify school staff when they are being bullied or when they suspect that another student is being bullied, and providing means by which students may report threats or incidents confidentially and anonymously
4. Annually notifying district employees that, pursuant to Education Code 234.1, any school staff who witnesses an act of bullying against a student has a responsibility to immediately intervene to stop the incident when it is safe to do so

## Staff Development

The Superintendent or designee shall make the California Department of Education's online training module on the dynamics of bullying and cyberbullying, which includes the identification of bullying and cyberbullying and the implementation of strategies to address bullying, available annually to all certificated staff and to other employees who have regular interaction with students. (Education Code 32283.5)

The Superintendent or designee shall provide training to teachers and other school staff to raise their awareness about the legal obligation of the district and its employees to prevent discrimination, harassment, intimidation, and

bullying of district students. Such training shall be designed to provide staff with the skills to:

1. Discuss the diversity of the student body and school community, including their varying immigration experiences
2. Discuss bullying prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims

3. Identify the signs of bullying or harassing behavior
4. Take immediate corrective action when bullying is observed
5. Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior

#### Student Instruction

As appropriate, the district shall provide students with instruction, in the classroom or other educational settings, that promotes social-emotional learning, effective communication and conflict resolution skills, character/values education, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.

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.

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 or designee 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.

When appropriate based on the severity or pervasiveness of the bullying, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators and may contact law enforcement.

The Superintendent, principal, or principal's designee may refer a victim, witness, perpetrator, or other student affected by an act of bullying to a school counselor, school psychologist, social worker, child welfare attendance personnel, school nurse, or other school support service personnel for case management, counseling, and/or participation in a restorative justice program as appropriate. (Education Code 48900.9)

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.

## **Safety Plan Review, Evaluation and Amendment Procedures**

The Safety Plan Review, Evaluation, and Amendment Procedure will involve a comprehensive assessment of the existing safety protocols at least once a year, with input from staff, students, and community educational partners. During each review, we will analyze incident reports, feedback from safety drills, and relevant district, state or federal guidelines to identify areas for improvement. All amendments will be approved by the safety committee and documented and communicated to all staff, students, and families, ensuring everyone is informed of updates. Additionally, a dedicated safety committee will convene biannually to discuss findings and recommend changes, fostering a proactive approach to maintaining a safe school environment.

## **Emergency Response Guidelines**

### **Step One: Identify the Type of Emergency**

Identify emergency and contact the District Safety Manager, Assistant Superintendent of Compliance, PIO, Director of Secondary Education and appropriate local agency. Initiate lockdown using Raptor. Initiate all call. Lock all doors. Prepare information for first responders. Implement communication plan via Parent Square. Communicate with staff to use provided lockdown procedures. Contact subs and non RUSD staff that are on site.

### **Step Two: Identify the Level of Emergency**

Identify and determine level of emergency to notify appropriate office and officials using provided District color coded student safety list.

### **Step Three: Determine the Immediate Response Action**

Identify and determine level of emergency to notify appropriate office and officials using provided District color coded student safety list.

### **Step Four: Communicate the Appropriate Response Action**

Using Raptor or digital communications, notify all responsible parties of the situation, required response, and safety information.

## **Types of Emergencies & Specific Procedures**

### **Earthquake**

#### **1. Education and Training:**

Conduct regular earthquake drills and provide training to all students and staff on earthquake preparedness, including Drop, Cover, and Hold On techniques via Raptor and the Great Shake Out.

#### **2. Emergency Supplies:**

Maintain a supply of emergency kits and first-aid supplies throughout the campus, including classrooms, offices, and common areas.

#### **3. Emergency Contact Information:**

Google Folder with updated list of emergency contact information for students, staff, and parents or guardians.

All staff members have access to this contact list.

#### **4. Evacuation Plans:**

Clear and well-marked evacuation routes that lead to safe assembly areas on the campus grounds.

All staff members are trained to guide and support students during evacuations.

#### **5. Shelter-in-Place Areas:**

List and communicate shelter-in-place areas within buildings for situations where evacuation may not be safe.

#### **6. Accountability and Reunification:**

Use Raptor to account for all students and staff members after an earthquake. Use Raptor for the reunification procedures for reuniting students with their parents or guardians.

#### **7. Communication Protocols:**

Use Parent Square to communicate with students, staff, and parents or guardians of the earthquake and its aftermath. Regularly check that communication channels are diverse and include text messages, Raptor, PA systems, and mobile apps.

#### **8. Search and Rescue Procedures:**

Regularly train designated staff members in basic search and rescue techniques to assist with initial response efforts.

#### **9. Safety Inspections:**

Conduct regular safety inspections of school buildings and facilities to identify and address potential hazards that could be exacerbated by an earthquake.

#### **10. Coordination with Local Authorities:**

Maintain the close working relationship with local emergency services, including law enforcement and the fire department, for coordinated response efforts.

#### **13. Psychological Support:**

Provide counseling and psychological support for students and staff members affected by the earthquake, addressing trauma and stress.

### **Fire in Surrounding Area**

**1. Education and Training:**

Conduct regular fire drills and provide training to all students and staff on fire preparedness.

**2. Emergency Supplies:**

Maintain a supply of emergency kits and first-aid supplies throughout the campus, including classrooms, offices, and common areas.

**3. Emergency Contact Information:**

Google Folder with updated list of emergency contact information for students, staff, and parents or guardians. All staff members have access to this contact list.

**4. Evacuation Plans:**

Clear and well-marked evacuation routes that lead to safe assembly areas on the campus grounds. All staff members are trained to guide and support students during evacuations.

**5. Accountability and Reunification:**

Use Raptor to account for all students and staff members after an earthquake. Use Raptor for the reunification procedures for reuniting students with their parents or guardians.

**6. Communication Protocols:**

Use Parent Square to communicate a with students, staff, and parents or guardians of the fire and its aftermath. Regularly check that communication channels are diverse and include text messages, PA systems, and mobile apps.

**7. Search and Rescue Procedures:**

Regularly train designated staff members in basic search and rescue techniques to assist with initial response efforts.

**9. Safety Inspections:**

Conduct regular safety inspections of school buildings and facilities to identify and address potential hazards that could be exacerbated by an fire or start a fire.

**10. Coordination with Local Authorities:**

Maintain the close working relationship with local emergency services, including law enforcement and the fire department, for coordinated response efforts.

**13. Psychological Support:**

Provide counseling and psychological support for students and staff members affected by the fire, addressing trauma and stress.

### **Fire on School Grounds**

**1. Education and Training:**

Conduct regular fire drills and provide training to all students and staff on fire preparedness.

**2. Emergency Supplies:**

Maintain a supply of emergency kits and first-aid supplies throughout the campus, including classrooms, offices, and common areas.

**3. Emergency Contact Information:**

Google Folder with updated list of emergency contact information for students, staff, and parents or guardians. All staff members have access to this contact list.

**4. Evacuation Plans:**

Clear and well-marked evacuation routes that lead to safe assembly areas on the campus grounds. All staff members are trained to guide and support students during evacuations.

**5. Accountability and Reunification:**

Use Raptor to account for all students and staff members after an earthquake. Use Raptor for the reunification procedures for reuniting students with their parents or guardians.

**6. Communication Protocols:**

Use Parent Square to communicate a with students, staff, and parents or guardians of the fire and its aftermath. Regularly check that communication channels are diverse and include text messages, PA systems, and mobile apps.

**7. Search and Rescue Procedures:**

Regularly train designated staff members in basic search and rescue techniques to assist with initial response efforts.

**9. Safety Inspections:**

Conduct regular safety inspections of school buildings and facilities to identify and address potential hazards that could be exacerbated by a fire or start a fire.

10. Coordination with Local Authorities:

Maintain a close working relationship with local emergency services, including law enforcement and the fire department, for coordinated response efforts.

13. Psychological Support:

Provide counseling and psychological support for students and staff members affected by the fire, addressing trauma and stress.

## **Pandemic**

### **Blood Borne Pathogen Incident Reporting Form and Exposure Control Plan**

#### **Policy 5141.22: Infectious Diseases**

The Governing Board desires to protect students from risks posed by exposure to infectious diseases while providing an appropriate education for all students.

The Superintendent or designee shall determine whether to admit a student with an infectious disease, and shall exclude students only in accordance with law. In making this determination, he/she shall consult the student's parents/guardians, the student's physician and/or the county health department, in accordance with law and consistent with confidentiality provisions. Because bloodborne pathogens such as hepatitis B virus, hepatitis C virus and human immunodeficiency virus (HIV) are not casually transmitted, the sole presence of bloodborne pathogens is not sufficient reason to exclude students from attending school.

cf. 5112.2 - Exclusions from Attendance)

(cf. 5141.26 - Tuberculosis Testing)

(cf. 5141.3 - Health Examinations)

(cf. 6158 - Independent Study)

(cf. 6159 - Individualized Education Program)

(cf. 6183 - Home/Hospital Instruction)

Parents/guardians are encouraged to inform the Superintendent or designee if their child has an infectious disease so that school staff may work cooperatively with the student's parents/guardians to minimize the child's exposure to other diseases in the school setting. The Superintendent or designee shall ensure that student confidentiality rights are strictly observed in accordance with law. No district employee shall release medical information, including knowledge of a bloodborne pathogen infection, without written consent from the parent/guardian or adult student. Such information shall be shared only with those persons specifically named in the written permission.

(cf. 5125 - Student Records)

(cf. 5022 - Student and Family Privacy Rights)

The Board requires students and staff to routinely observe universal precautions to prevent exposure to bloodborne pathogens and to prevent the spread of all infectious disease.

cf. 4119.42/4219.42/4319.42 -Exposure Control Plan for Bloodborne Pathogens)

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)

(cf. 5141.23 - Infectious Disease Prevention)

The Superintendent or designee shall ensure that the district's health education program provides information about the nature of bloodborne pathogens and their transmission.

(cf. 5141.6 - Student Health and Social Services)

(cf. 6142.2 - Sexual Health and HIV/AIDS Prevention Instruction)

(cf. 6142.8 - Comprehensive Health Education)

#### **Blood Borne Pathogens - Safety Practices**



## Procedures and Regulations

### 1. General

1.1 While recognizing that both students and employees diagnosed with an infectious blood borne disease are entitled to a confidential relationship between themselves, the medical community and/or other agencies, the Board of School Trustees encourages these individuals to meet with the School Principal and/or Superintendent of Schools to discuss their disease and immediate and future needs.

### 1.2 Assessment

### 2. Students:

2.1. The Superintendent (or designate) will be informed, by the school principal as soon as is known, of any student infected with an infectious blood borne disease.

2.2. A Risk Assessment will be conducted using a team approach including the personal physician, public health personnel, the parent or guardian, and school district personnel as appropriate and will make recommendations about the type of educational and care setting based on the following:

- a. Behavior, neurological development and physical condition of the child;
- b. Type of interaction expected with others.
- c. What the potential is for exposure
- d. Areas for potential for exposure
- e. How exposure may happen
- f. Who needs to know?
- g. What will happen if there is a risk of exposure?

2.3. The team will consider the risk to others in the workplace, whether or not the individual is healthy enough to continue to attend school, and what precautions should be taken to ensure the safety and health of others.

a. The identity of infected students will remain confidential and restricted to those who need to know or are required to be informed.

2.4. Decisions on attendance at school are dependent on the circumstances of each individual case. Regular evaluation of the appropriateness of attendance will be conducted.

2.5. The Board will be notified immediately when the team considers the health condition of a student to be a danger to the immediate health and welfare of a school, its students or employees of the Board.

a. Upon being notified of the team's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

### 3. Employees

3.1. The Superintendent will be informed, by district staff as soon as is known, of any employee infected with an infectious blood borne disease.

3.2. Employees with an infectious blood borne disease, who are able to carry out the essential duties of their jobs in a satisfactory manner without posing a health or safety risk to themselves or others, will be entitled to continue their work.

3.3. Decisions regarding potential health or safety hazards will be made on a case-by-case basis in consultation with the employee, the personal physician and district personnel as appropriate.

3.4. The identity of infected employees will remain confidential and restricted to those who need to know or are required to be informed.

3.5. The Board will be notified immediately if the Superintendent considers the health condition of an employee to be a danger to the immediate health and welfare of a school, its students or other employees of the Board.

a. Upon being notified of the Superintendent's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

#### 4. Hygienic Safety Practices

4.1. All employees will follow "Universal Infection Control Precautions" by assuming that blood and other body fluids from all individuals are potentially infectious. These precautions include:

- a. Routinely using gloves when anticipating contact with blood
- b. Immediately washing hands and other skin surfaces after removal of gloves and/or contact with blood

4.2. Schools will be provided with appropriate protective equipment including disposable waterproof gloves (natural rubber latex, neoprene, nitrile, or vinyl), tongs or pliers and proper sharps containers.

4.3. Schools' medical room mattresses will be either vinyl-coated beds or cloth mattress with a protective vinyl (plastic) covering so that they can be cleaned as needed with a bleach solution.

4.4. Blankets can be cleaned as needed by forwarding them, in a clearly labeled plastic bag, to the Assistant Supervisor Operations at the Facilities Office.

#### 5. Universal Precautions

5.1. Universal Precautions to prevent transmission of blood-borne disease will be followed. Universal Precautions is the term for infection control measures endorsed by the Canadian Centre for Occupational Health and Safety for workers who might come into contact with blood and other body fluids. In summary they include:

- a. Wash hands for 30 seconds after contact with blood and other body fluids contaminated with blood.
- b. Wear disposable latex gloves when you encounter blood, body fluids, or when cleaning cuts, scrapes or wounds. Wash your hands as soon as you remove your gloves. Dispose gloves in a plastic bag.
- c. Use disposable absorbent material like paper towels to stop bleeding.
- d. Discard bloodstained material in a sealed plastic bag and deposit in the garbage. Label as containing blood-tainted material.
- e. Cover cuts or scrapes with a bandage until healed.
- f. Immediately protect staff and students from coming in contact with blood-soiled surfaces. The area must be disinfected with a fresh solution of one part bleach and nine-parts water (10% bleach solution).

Mops or brushes used for cleaning should be soaked in a bleach solution for 20 minutes.

(Note: The custodial department will provide each school with the product for dissolving in water to provide the bleach solution.)

#### 6. Identification of Risks of Occupational Exposure

6.1. In accordance with the Occupational Health and Safety Regulations (section 6.35), the district's Health & Safety Coordinator will develop and maintain a list of positions and/or tasks and procedures where there is a potential for occupational exposure to a blood borne pathogen.

6.2. Employees who have, or may have, occupational exposure to the hepatitis B virus, will upon request, receive a hepatitis B vaccination (section 6.39, OH&S Regs).

6.3. Employees who may have been exposed to a blood borne pathogen in an exposure incident will be advised to immediately seek medical attention

## **Blood Borne Pathogen Incident Reporting Form and Exposure Control Plan**

### **Policy 5141.22: Infectious Diseases**

The Governing Board desires to protect students from risks posed by exposure to infectious diseases while providing an appropriate education for all students.

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(cf. 5112.2 - Exclusions from Attendance)  
(cf. 5141.26 - Tuberculosis Testing)  
(cf. 5141.3 - Health Examinations)  
(cf. 6158 - Independent Study)  
(cf. 6159 - Individualized Education Program)  
(cf. 6183 - Home/Hospital Instruction)

Parents/guardians are encouraged to inform the Superintendent or designee if their child has an infectious disease so that school staff may work cooperatively with the student's parents/guardians to minimize the child's exposure to other diseases in the school setting. The Superintendent or designee shall ensure that student confidentiality rights are strictly observed in accordance with law. No district employee shall release medical information, including knowledge of a bloodborne pathogen infection, without written consent from the parent/guardian or adult student. Such information shall be shared only with those persons specifically named in the written permission.

(cf. 5125 - Student Records)  
(cf. 5022 - Student and Family Privacy Rights)

The Board requires students and staff to routinely observe universal precautions to prevent exposure to bloodborne pathogens and to prevent the spread of all infectious disease.

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)  
(cf. 4119.43/4219.43/4319.43 - Universal Precautions)  
(cf. 5141.23 - Infectious Disease Prevention)

The Superintendent or designee shall ensure that the district's health education program provides information about the nature of bloodborne pathogens and their transmission.

(cf. 5141.6 - Student Health and Social Services)  
(cf. 6142.2 - Sexual Health and HIV/AIDS Prevention Instruction)  
(cf. 6142.8 - Comprehensive Health Education)

# Blood Borne Pathogens - Safety Practices

## Procedures and Regulations

### 1. General

1.1 While recognizing that both students and employees diagnosed with an infectious blood borne disease are entitled to a confidential relationship between themselves, the medical community and/or other agencies, the Board of School Trustees encourages these individuals to meet with the School Principal and/or Superintendent of Schools to discuss their disease and immediate and future needs.

1.2 Assessment

### 2. Students:

2.1. The Superintendent (or designate) will be informed, by the school principal as soon as is known, of any student infected with an infectious blood borne disease.

2.2. A Risk Assessment will be conducted using a team approach including the personal physician, public health personnel, the parent or guardian, and school district personnel as appropriate and will make recommendations about the type of educational and care setting based on the following:

- a. Behavior, neurological development and physical condition of the child;
- b. Type of interaction expected with others.
- c. What the potential is for exposure
- d. Areas for potential for exposure
- e. How exposure may happen
- f. Who needs to know?
- g. What will happen if there is a risk of exposure?

2.3. The team will consider the risk to others in the workplace, whether or not the individual is healthy enough to continue to attend school, and what precautions should be taken to ensure the safety and health of others.

- a. The identity of infected students will remain confidential and restricted to those who need to know or are required to be informed.

2.4. Decisions on attendance at school are dependent on the circumstances of each individual case. Regular evaluation of the appropriateness of attendance will be conducted.

2.5. The Board will be notified immediately when the team considers the health condition of a student to be a danger to the immediate health and welfare of a school, its students or employees of the Board.

- a. Upon being notified of the team's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

### 3. Employees

3.1. The Superintendent will be informed, by district staff as soon as is known, of any employee infected with an infectious blood borne disease.

3.2. Employees with an infectious blood borne disease, who are able to carry out the essential duties of their jobs in a satisfactory manner without posing a health or safety risk to themselves or others, will be entitled to continue their work.

3.3. Decisions regarding potential health or safety hazards will be made on a case-by-case basis in consultation with the employee, the personal physician and district personnel as appropriate.

3.4. The identity of infected employees will remain confidential and restricted to those who need to know or are required to be informed.

- 3.5. The Board will be notified immediately if the Superintendent considers the health condition of an employee to be a danger to the immediate health and welfare of a school, its students or other employees of the Board.
- a. Upon being notified of the Superintendent's concern, the Board will refer the matter to the Medical Health Officer in accordance with the procedures outlined in the School Act.

#### **4. Hygienic Safety Practices**

- 4.1. All employees will follow "Universal Infection Control Precautions" by assuming that blood and other body fluids from all individuals are potentially infectious. These precautions include:
- a. Routinely using gloves when anticipating contact with blood
  - b. Immediately washing hands and other skin surfaces after removal of gloves and/or contact with blood
- 4.2. Schools will be provided with appropriate protective equipment including disposable waterproof gloves (natural rubber latex, neoprene, nitrile, or vinyl), tongs or pliers and proper sharps containers.
- 4.3. Schools' medical room mattresses will be either vinyl-coated beds or cloth mattress with a protective vinyl (plastic) covering so that they can be cleaned as needed with a bleach solution.
- 4.4. Blankets can be cleaned as needed by forwarding them, in a clearly labeled plastic bag, to the Assistant Supervisor Operations at the Facilities Office.

#### **5. Universal Precautions**

- 5.1. Universal Precautions to prevent transmission of blood-borne disease will be followed. *Universal Precautions* is the term for infection control measures endorsed by the Canadian Centre for Occupational Health and Safety for workers who might come into contact with blood and other body fluids. In summary they include:
- a. Wash hands for 30 seconds after contact with blood and other body fluids contaminated with blood.
  - b. Wear disposable latex gloves when you encounter blood, body fluids, or when cleaning cuts, scrapes or wounds. Wash your hands as soon as you remove your gloves. Dispose gloves in a plastic bag.
  - c. Use disposable absorbent material like paper towels to stop bleeding.
  - d. Discard bloodstained material in a sealed plastic bag and deposit in the garbage. Label as containing blood-tainted material.
  - e. Cover cuts or scrapes with a bandage until healed.
  - f. Immediately protect staff and students from coming in contact with blood-soiled surfaces. The area must be disinfected with a fresh solution of one part bleach and nine-parts water (10% bleach solution).

Mops or brushes used for cleaning should be soaked in a bleach solution for 20 minutes.

(Note: The custodial department will provide each school with the product for dissolving in water to provide the bleach solution.)

#### **6. Identification of Risks of Occupational Exposure**

- 6.1. In accordance with the Occupational Health and Safety Regulations (section 6.35), the district's Health & Safety Coordinator will develop and maintain a list of positions and/or tasks and procedures where there is a potential for occupational exposure to a blood borne pathogen.
- 6.2. Employees who have, or may have, occupational exposure to the hepatitis B virus, will upon request, receive a hepatitis B vaccination (section 6.39, OH&S Regs).
- 6.3. Employees who may have been exposed to a blood borne pathogen in an exposure incident will be advised to immediately seek medical attention