

# Manchester Union Elementary School District

## Comprehensive School Safety Plan

**2022-2023**

### Members of the Governing Board

Frances Robbings, President

Erin Piper, Clerk

Diana Weston-Williams, Member

### Members of the Safety Committee

Avis Anderson - Teacher and Parent /School Site Council

Jennifer Dempsey- Teacher/School Site Council

Goija Post- Paraprofessional and Parent /School Site Council

Mary Heibel-Community Member/School Site Council

Georgia Palmer - Parent/School Site Council

Kristin Larson Balliet - Superintendent/Principal

Lieutenant Joseph Comer - Mendocino County Sheriff

Chief Suddith - Redwood Coast Fire Protection Department

Public Hearing Date

**February 14, 2023**

AGENDA ITEM # 8.0

# **\*Contents**

<b>Item</b>	<b>Section/Page</b>
<b>A) Safety.....</b>	<b>1-2</b>
• Vision	
• Mission	
• Planning	
• Goals	
• Completion of Safety Issues	
• COVID-19 Safety Plan	
<b>Disaster Procedures Routine and Emergency.....</b>	<b>3-24</b>
<input type="checkbox"/> Emergency Telephone Directory	
<input type="checkbox"/> Schedule of Emergency Drills	
<input type="checkbox"/> Manchester School Evacuation Map	
<input type="checkbox"/> School Emergency Operations Center Organizational Chart & Descriptors	
<input type="checkbox"/> Action: Cancellation/Closure of School: During School Hours	
<input type="checkbox"/> Action: Cancellation/Closure of School: Before the School Day	
<input type="checkbox"/> Action: Shelter-In-Place	
<input type="checkbox"/> Action: Lockdown	
<input type="checkbox"/> Action: Evacuation	
<input type="checkbox"/> Action: Duck, Cover and Hold On	
<input type="checkbox"/> Protocol for Shelter-In-Place and Evacuation	
<input type="checkbox"/> Board Policies and Administrative Regulations:	
<input type="checkbox"/> Emergencies and Disaster Preparedness Plan BP/AR 3516	
<input type="checkbox"/> Fire Drills and Fires AR 3516.1	
<input type="checkbox"/> Bomb Threats AR 3516.2	
<input type="checkbox"/> Earthquake Emergency Procedure System AR 3516.3	
<input type="checkbox"/> Emergency Schedules BP 3516.5	
<b>Procedure for Safe Ingress and Egress of Pupils and School Employees.....</b>	<b>24</b>
<b>A Safe and Orderly Environment Conducive to Learning.....</b>	<b>25</b>
<input type="checkbox"/> Board Policies and Administrative Regulations:	
<input type="checkbox"/> Environmental Safety BP/AR 3514	
<input type="checkbox"/> Hazardous Substances BP/AR 3514.1	
<input type="checkbox"/> Integrated Pest Management AR 3514.2	
<input type="checkbox"/> Campus Security AR 3515	
<input type="checkbox"/> Disruptions BP/AR 3515.2	
<input type="checkbox"/> Recovery for property Loss or Damage BP/AR 3515.4	
<input type="checkbox"/> Sex Offender Notification BP 3515.5	

- ☐ Health Care and Emergencies BP/AR 5141
- ☐ Accidents BP 5141.1

**School Discipline Rules and Procedures.....26**

- ☐ Universal Expectations
- ☐ Board Policies and Administrative Regulations:
  - ☐ Campus Disturbances BP 5131.4

**Suspension and Expulsion.....27**

- ☐ Board Policies and Administrative Regulations:
  - ☐ Board Policy BP 5144
- ☐ Suspension form - English/Spanish

**Procedure to Notify Teachers of Dangerous Pupils.....27**

**Assessment of the Current Status of School Crime.....27**

- ☐ Board Policies and Administrative Regulations:
  - ☐ Crime Data Reporting AR 3515.1

**Child Abuse Reporting Procedures .....27**

- ☐ Board Policies and Administrative Regulations:
  - ☐ Child Abuse and Reporting Procedures BP/AR 5141.4

**Sexual Harassment Policy.....27**

- ☐ Board Policies and Administrative Regulations:
  - ☐ All Personnel / Students BP 5145.7
  - ☐ Students BP 5145.7

**School-Wide Dress Code Prohibiting "Gang-Related" Apparel.....28**

- ☐ Board Policies and Administrative Regulations:
  - ☐ Dress and Grooming BP 5132
  - ☐ Gangs BP/AR 5136

**Nondiscrimination Policy.....28**

\*Board Policies and Administrative Regulations cited in this document are included in the final pages

# A

## **District Safety Vision**

A safe school is a place where learning can occur in a welcoming environment free of intimidation, violence and fear. Manchester Union Elementary School District is dedicated to providing a safe environment for children so they can focus on learning and growing.

## **District Safety Mission**

Manchester Union Elementary School District is committed to the safety and security of students, staff, and visitors within Manchester facilities. Professional development and collaborative partnerships are necessary to the success of the safety plan and emergency management efforts that include prevention, preparedness, response, and recovery procedures relevant to potential natural and human caused crises.

## **Safe School Planning**

Safe school planning is a partnership that includes a working relationship with local emergency responders, community members, parents and students. A safe school plan is a dynamic process that is comprehensive, evaluative and constantly evolving. Safe school planning is as much of a journey as it is a destination. Organizational capacity, professional development and teamwork are formed and shaped during the journey.

## **Safety Plan Goals**

1. To increase public recognition of good efforts by community members
2. To make available all school procedures to the school community
  - a. emergency procedure
  - b. criminal behavior procedure
  - c. curriculum development plans
3. Decision making process
4. To increase the supply of emergency resources to the students
5. To protect the school from potential crime and vandalism
6. To encourage the use of the school by the community during non-school hours
7. To increase the school's coordination with other public agencies
8. include law enforcement in non-enforcement roles at the school
9. behavioral health

## **Plan for Completion of Safety Issues**

1. Research fencing the entire playground
2. Improve phone access - increase # of phone lines to at least 2
3. Complete the installation of the generator for the water pump
4. Research playground resurfacing
5. Replace the rubber chips under the playground equipment with appropriately treated,



- wood chips and fill to the appropriate depth
6. Replace/repair north cyclone fence

1

### **Manchester Union Elementary School District COVID-19 Safety Plan**

Manchester Union Elementary School District returned to in-person instruction (following the pandemic) at the start of the 2021-2022 school year, and MUESD developed a plan to return safely to in person instruction that was informed by county and state guidelines.

During the 22-23 school year, the MUESD COVID-19 Safety Plan was developed to reflect updated guidance regarding procedures to mitigate the spread of, and associated challenges with COVID-19, and serves as an addendum to this Comprehensive Safety Plan. This plan is posted on the school website at [muesd.us](https://muesd.us)

Please refer to the MUESD COVID-19 Safety Plan for information specific to protocols pertaining to COVID-19.

## **Disaster Procedures: Routine and Emergency**

### **Emergency Telephone Directory**

General Emergency (Fire, Medical, Police)	911
Office of Emergency Services	707-463-5667

#### **Personnel**

*Kristin Larson Balliet, Superintendent/Principal	707-882-2374 See Staff Directory for cell #s
Chris Malik, Maintenance	707-496-5582
Alpha Analytical Laboratories Inc. (water)	707-468-0401

#### **Fire Stations**

Redwood Coast Fire Department	707-882-1833
California Department of Forestry	911

#### **Medical / Hospitals / Doctors**

Ambulance Service	911
Poison Control	800-222-1222
Redwood Coast Medical Service	707-882-1704 (Point Arena) 707-884-4005 (Gualala)

#### **Law Enforcement**

Mendocino County Sheriff	707-463-4086
• Matthew Kendall, Sheriff	707-463-4085
• Darren Brewseter, Undersheriff	707-463-5416
Fort Bragg Sheriff Substation	707-961-2421

California Highway Patrol (Ukiah office)

707-467-4420

3

**Chemical / Utility**

Poison Control

1-800-876-4766

PG & E

1-800-743-5000

1-800-652-4712

Pacific Bell / AT&T

1-800-667-0213

**Agencies/Information**

American Red Cross

1-800-733-2767

Mendocino County Animal Control

707-463-4427

Cal Trans/Local

707-489-3450

County Superintendent of Schools

707-467-5000

CPS - Child Protective Services

866-236-0368

Mendonoma Health Alliance

707-412-3176

Mendocino County Public Health

707-472-2700

Road Conditions

1-800-427-7623

S & B Market

707-882-2805

**Radio Stations**

KGUA, Gualala

707-884-4883

KTDE-FM, Gualala

707-884-1000

KOZT, Fort Bragg

707-963-7277

KUNK, Fort Bragg

707-964-5307

KMFB, Mendocino

707-964-4563

KZYG Philo

707-895-2374

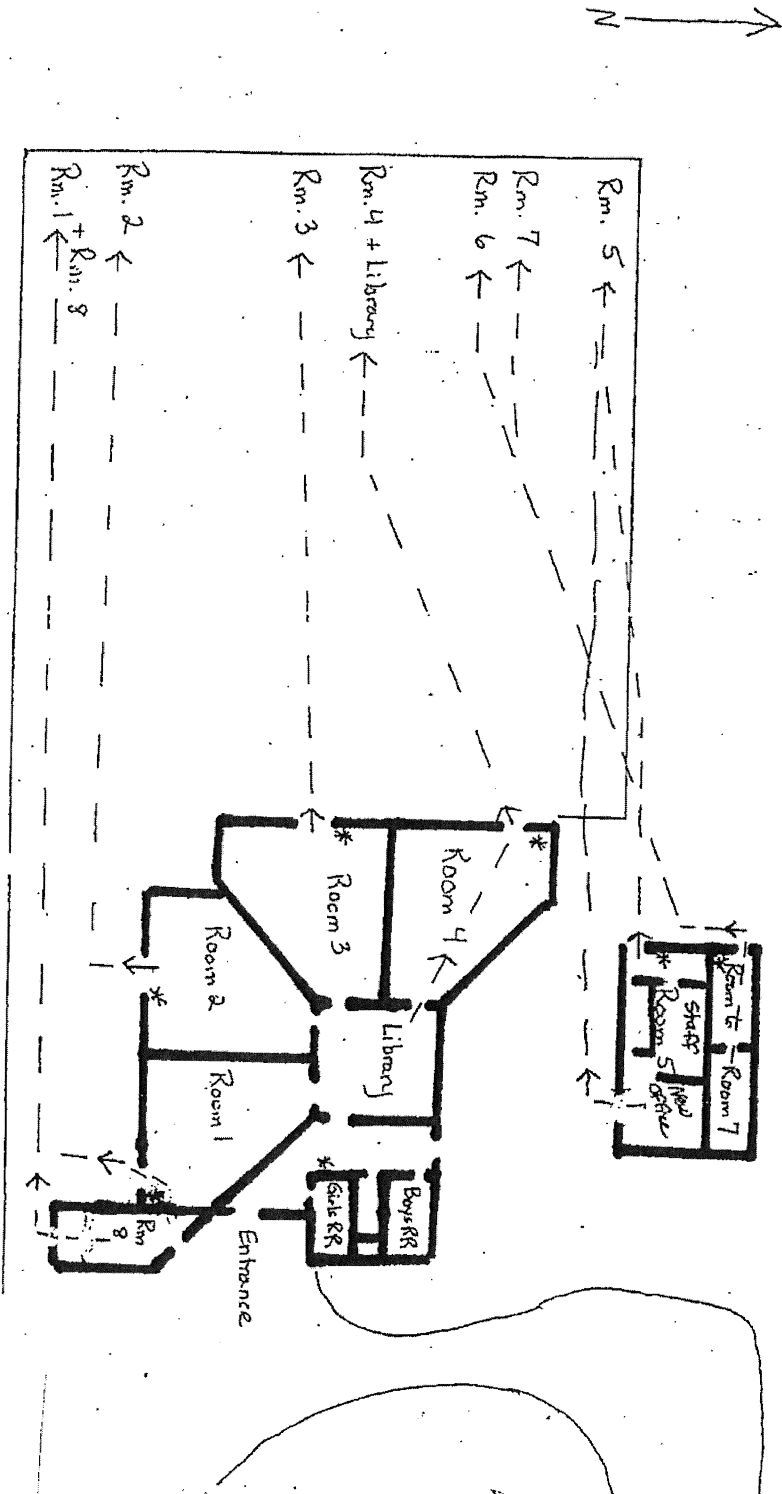
## Schedule of Emergency Drills for 2022-2023

Emergency drills have been planned so that they are practiced on a different day of the week and at different times.

Day of the Week	Date	Approx. Time	Pull Station Location or Other
Thursday	Sept. 8	2:00 p.m.	Office (by Supt/Principal)
Wednesday	Oct. 12	11:00 a.m.	Office (Learning Lab)
Thursday	Oct. 20	11:00 a.m.	Room 1
Monday	Jan. 30	2:00 p.m.	Room 2
Friday	Feb. 10	9:30 a.m.	Room 3
Thursday	Feb. 23	10:30 a.m.	Earthquake
Wednesday	March 15	12:30 p.m. (end of lunchtime)	Room 4
Tuesday	April 17	9:30 a.m.	Lockdown
Thursday	May 4	2:15 p.m.	Kitchen/Hallway
Friday	May 19	1:00 p.m.	Office (Front)

- Monthly self-inspections, by the superintendent/principal and maintenance person, will be conducted and documented, throughout the school including the playground, classrooms, and fire extinguishers.
- A yearly fire inspection will be done by the State Fire Marshal (or local RedwoodCoast Fire chief if available).
- Yearly fire extinguisher maintenance will be done by Phoenix Fire Defence Inc., 26 Norgard Lane, Ukiah, 462-5725

# Manchester School Evacuation Map



Manchester School Evacuation Map

## **MANAGEMENT / COMMAND**

During a campus emergency, the Management Team is responsible for coordinating all response activities.

### **MANAGEMENT / ROLES**

#### EOC DIRECTOR - INCIDENT COMMANDER

The Incident Commander is the person responsible for the conduct of emergency/disaster operations on-site. One of the Director's primary functions is to activate the Emergency Operation Center (EOC). During the emergency/disaster, the EOC Director oversees and directs response activities until relieved by an alternate EOC Director, or replaced by someone of higher authority (Emergency Response Personnel). While on duty, the EOC Director is charged with ensuring the safety of students, staff, volunteers and visitors to Manchester School. The EOC Director is also the ONLY authorized spokesperson to conduct on-camera or live radio interviews.

#### PUBLIC INFORMATION OFFICER (PIO)

The Public Information Officer (PIO) is responsible for the release of official statements during emergency/disaster operations. The PIO's "job" is to prepare information about the incident and response activities for the EOC Director to provide to the media. (see Attachment A)

#### SAFETY OFFICER (SO)

The Safety Officer is responsible for ensuring that all response activities are conducted safely. Safety Officer is also responsible for checking utilities and shutting them off when necessary.

#### LIAISON OFFICER (LO)

The Liaison Officer is the point of contact for outside Agency Representatives offering organizational assistance during an emergency response. The Liaison Officer coordinates the efforts of these outside agencies while on-site to ensure the proper flow of information.

Attachment A

The Public Information Officer is responsible to prepare information about the incident and response activities for the EOC Director to provide to the media. Below is a sample press release for the PIO to follow:

**The Public Information Officer** is responsible to prepare information about the incident and response activities for the EOC Director to provide to the media. Below is a sample press release for the PIO to follow:

**\*\*SAMPLE PRESS RELEASE\*\***

Event: Earthquake  
Release 3: 001

Date: March 1, 2023  
Time: 8:00 a.m.

TITLE OF RELEASE: LARGE EARTHQUAKE CAUSES MODERATE DAMAGE TO THE MANCHESTER ELEMENTARY SCHOOL BUILDING

**FOR IMMEDIATE RELEASE**

EXAMPLE... AT 5:25 a.m. on March 1, 2023, an earthquake measuring 7.2 on the Richter Scale caused moderate damage to the Manchester School building located at 19550 S. Hwy1 in Manchester, CA. There are no reports of injuries available. Search and Rescue crews are searching the building at this time. Roadways leading to the school site have been damaged and the bridge at GARCIA River is closed. The public is asked to remain clear of the area to allow emergency responders to access the site.

Due to the magnitude of the earthquake and the damage throughout the county, the Mendocino County Operational Area Fire Emergency Operations Center has been activated. Additional information can be obtained by calling the Op Area EOC Hotline at 707-565-3040.

Further details will be provided when available.

Next Scheduled Release: As needed

## **OPERATIONS**

The Operations Section is responsible for carrying out all emergency response activities. The Operations Section is responsible for initiating and directing the "hands on" response to a disaster/emergency.

### **OPERATIONS / ROLES**

#### OPERATIONS SECTION CHIEF

The Operations Section Chief is responsible for initiating and directing the "hands on" response to a disaster/emergency at the Manchester Union School District/Manchester School site through the activities of the following teams: Crisis Intervention, Evacuation and Site Security, First Aid, Search and Rescue, & Staff and Visitor Accounting.

#### CRISIS INTERVENTION TEAM LEADER

The Crisis Intervention Team Leader is in charge of assessing the immediate and long-term mental health support needs of students, staff, parents, and volunteers involved in or affected by a Manchester School District emergency. This person is also responsible for mobilizing the Crisis Intervention Team under the direction of the EOC Director.

#### CRISIS INTERVENTION TEAM

The Crisis Intervention Team monitors and supports the mental health needs of students, staff, parents, and volunteers involved in or affected by an emergency.

#### EVACUATION AND SITE SECURITY TEAM LEADER

The Evacuation and Site Security Team Leader is primarily responsible for the efficient evacuation of the Manchester School buildings and ensuring that no one is allowed back into the buildings. This team is also responsible for assessing, identifying and mitigating on-site hazards, to the extent possible, during and immediately following a disaster/emergency. This team is also responsible for site security for the duration of the incident, or until first responders assume that responsibility.

#### EVACUATION AND SITE SECURITY TEAM

The Evacuation and Site Security Team is responsible for the efficient evacuation of the Manchester School buildings and ensuring that no one re-enters the buildings. The Team is also responsible for assessing, identifying and mitigating (to the extent possible) on-site hazards, during and immediately following a disaster/emergency. This team is also responsible for site security for the duration of the incident, or until first responders assume that responsibility.



#### FIRST AID TEAM LEADER

The First Aid Team Leader is responsible for coordinating Manchester School District's emergency medical response. This responsibility includes determining when the scope of an emergency exceeds the capabilities of the Team and notifying the Operations Section Chief of the need for outside assistance. The First Aid Team Leader is also charged with calling for and directing the establishment of an on-site morgue when warranted.

#### FIRST AID TEAM

The First Aid Team is responsible for safely providing on-site emergency medical response and first aid during response activities.

#### SEARCH AND RESCUE TEAM LEADER

The Search and Rescue (S&R) Team Leader is responsible for coordinating all on-site search and rescue efforts. This responsibility includes identifying search and rescue priorities and making team assignments. The Search and Rescue Team Leader is also responsible for ensuring the safety of his/her teams while they are in the field.

#### SEARCH AND RESCUE TEAM

The Search and Rescue Team (S & R) is responsible for safely conducting all on-site search and rescue efforts under the direction of the Search and Rescue Team Leader. Also responsible for reporting any damage found during the course of search and rescue activities.

#### STAFF AND VISITOR ACCOUNTING TEAM LEADER

The Staff, Visitor and Student Accounting Team Leader is responsible for ensuring that all Manchester School District Staff, students and visitors are accounted for.

#### STAFF AND VISITOR ACCOUNTING TEAM

The Staff, Visitor and Student Accounting Team is responsible for accounting for all Manchester School District staff, students and visitors.

## **LOGISTICS**

The Logistics Section manages the procurement and distribution of supplies, and equipment, is responsible for recruiting and deploying personnel, and for the acquisition of and mobilization of vehicles to move people and/or equipment as needed and in support of response activities.

### **LOGISTICS / ROLES**

#### FOOD, WATER AND SUPPLY TEAM SECTION CHIEF

The Logistics Section Chief is responsible for providing or acquiring all materials, equipment, personnel, services, and facilities necessary to support response efforts. Manchester School District's Logistics Section is made up of the following team: Food, Water and Supply Team.

#### FOOD, WATER AND SUPPLY TEAM LEADER

is responsible for ensuring that all requests for personnel, facilities, equipment, supplies, and materials necessary to support response efforts are being filled.

#### FOOD, WATER AND SUPPLY TEAM

The Food, Water and Supply Team is responsible for filling all requests for personnel, facilities, equipment, supplies, and materials necessary to support response efforts.

## **PLANNING / INTELLIGENCE**

The Planning / Intelligence Section is responsible for assessing available and needed resources, monitoring incident status, and documenting response activities.

### **PLANNING/INTELLIGENCE / ROLES**

#### PLANNING / INTELLIGENCE SECTION CHIEF

The Planning/Intelligence Section Chief is responsible for overseeing the collection, evaluation, documentation and use of information about the incident and the status of resources, as well as the maintenance of accurate records and site maps. Provides ongoing analysis of situation and resource status. The Planning/Intelligence Section is made up of the following teams: Documentation, Internal Situation Status, External Situation Status, & Communications.

#### COMMUNICATIONS TEAM LEADER

The Communications Team Leader is responsible for overseeing the setup, installation and maintenance of communication equipment to facilitate verbal and written communications with both on-site and with the off-site Manchester School District activities during emergencies (e.g., After School Program, Field Trips, etc...).

### COMMUNICATIONS TEAM

The Communications Team is responsible for the setup, installation and maintenance of communication equipment to facilitate verbal and written communications with both on-site and with the off-site Manchester School District programs such as the After School Program.

### DOCUMENTATION TEAM LEADER

The Documentation Team Leader is responsible for overseeing the collection, evaluation, documentation and use of information about the development of the incident and the status of resources. Responsible for collecting Situation Status Reports and creating an up-to-date Situation Status Board indicating current conditions.

### DOCUMENTATION TEAM

The Documentation Team is responsible for the collection, evaluation and documentation of information about the development of the incident and the status of resources.

### INTERNAL SITUATION STATUS TEAM LEADER

The Internal Situation Status Team Leader is responsible for managing the flow of information from Manchester School classrooms and Manchester School District off-site activities during emergencies

### INTERNAL SITUATION STATUS TEAM

The Internal Situation Status Team is tasked with receiving, disseminating, and recording all incoming information from Manchester School classrooms and off-site District activities during emergencies (e.g., After School Program, Field Trips, etc.

### EXTERNAL SITUATION STATUS TEAM LEADER

The External Situation Status Team Leader is responsible for coordinating the flow of information to and from local school districts with Manchester School District, and the Mendocino County Office of Education to and from the Manchester School District during emergencies. Provides ongoing analysis of situation and resource status.

### EXTERNAL SITUATIONS STATUS TEAM

The External Situation Status Team is tasked with receiving, recording and disseminating all incoming information to and from local school districts with Manchester School District, and the Mendocino County Office of Education to and from the Manchester School District during emergencies.

## **FINANCE / ADMINISTRATION**

The Finance/Administration Section is responsible for buying materials and keeping financial records of response-related expenditures as well as tracking employee hours spent on response and recovery activities.

### **FINANCE/ADMINISTRATION / ROLES**

#### FINANCE/ADMINISTRATION SECTION CHIEF

The Finance/Administration Section Chief is responsible for overseeing the financial tracking, procurement, and cost analysis related to the disaster or emergency, as well as maintenance of financial records, tracking and recording staff hours. The Finance/Administration Section is made up of the Recordkeeping team.

#### RECORD KEEPING TEAM LEADER

The Recordkeeping Team Leader is responsible for ensuring that records *for* personnel costs, volunteers, payroll, purchasing materials and supplies, insurance claims, and cost recovery are maintained during emergencies.

#### RECORD KEEPING TEAM

The Recordkeeping Team is tasked with the maintenance of records for tracking personnel costs, volunteer hours, payroll, materials and supplies purchases, insurance claims, and cost recovery in support of response activities.

## **ACTION: CANCELLATION OF SCHOOL During School Hours**

CANCEL SCHOOL when it is UNSAFE for students and staff to be on campus due to road closures, power outages, severe weather, earthquakes, etc. School may also be closed if the campus is needed for public sheltering or wide scale public health measures.

### **WHEN TO CANCEL SCHOOL**

Explosion	Winter Storm	Landslide
Major Earthquake	Pandemic	Tsunami
National Security Emergency	Hazardous Materials Incident	Fire

### **PROCEDURES TO CANCEL SCHOOL WHEN IN SESSION**

- ☐ Notify Mendocino County Office of Education: 467-5001, Office of the Superintendent of School.
- ☐ Notify Staff and Students
  - ☐ Make an announcement to teach class over the telephone intercom (or in person): "Your attention please. Your attention please. We will be initiating school closure and student release procedures. Teachers and student should remain in their classrooms until notified."
  - OR**
  - ☐ Send runners to each classroom with the above information. Be sure to include all programs that may be in progress.
- ☐ Activate Apptegy call from Thrillshare/Apptegy site
- ☐ Post "School Closed" signs in the school office and main entry points. (*Provide information on how to get additional information such as an emergency phone number, radio station, etc...*)
- ☐ Prepare for student release.

## **ACTION: CANCELLATION OF SCHOOL *Before School Hours***

If conditions warrant the cancellation of school prior to the beginning of the school day, the County Office of Education normally requests the following protocol be utilized. The utilization of this procedure will ensure that all authorized school closure announcements are properly communicated to media representatives.

### **PROCEDURES TO CLOSE SCHOOL**

- ☐ Superintendent/Principal will notify County Office of Education
- ☐ Notify Parents through the Apptegy/Thrillshare system and/or an Alert through our website

### **DIVISIONS INVOLVED IN SCHOOL CLOSURE**

Management/Command

## **ACTION:SHELTER-IN-PLACE**

Whenever an emergency situation presents itself such that it is safer for students and staff to remain inside the school building, the superintendent/principal or designee may order "shelter-in-place."

### **WHEN TO SHELTER-IN-PLACE**

Explosion

Hazardous Materials Incident

Terrorism

National Security Emergency

Radiological Incident

### **PROCEDURES TO SHELTER-IN-PLACE**

- ☐ Notify Staff and Students
  - ☐ Make an announcement to each class in person or over the telephone intercom: "Your attention please. Your attention please. Students and staff should immediately prepare to shelter-in-place and stand by for further instructions."
- OR**
- ☐ If it is safe to do so, send runners to each classroom with above information. Be sure to include all programs that may be in progress.
- ☐ Turn on radio and monitor updates
- ☐ Activate Apptegy/Thrillshare or Alert via website
- ☐ Post "School Closed" signs in the school office and main entry points if it is safe to do so, "This school is Sheltering-in-Place. Do not attempt to enter the office or the school building."

### **IN THE CLASSROOMS AND THE OFFICE**

- ☐ If students are outside move them inside to the classrooms
- ☐ Post "shelter-in-place" sign on the exterior door or windows
- ☐ Shut doors and all windows and close blinds
- ☐ Seal doors and vents with duct tape if there are possible airborne contaminants
- ☐ Take out class roster and take roll
- ☐ Wait for an announcement or communication of "all clear" before releasing anyone or opening doors and windows

## **ACTION: LOCKDOWN**

Lockdown is the response action initiated when the superintendent/principal or designee determines that there is an immediate and possibly life-threatening situation on-campus.

### **WHEN TO INITIATE A LOCKDOWN**

Any active-threat endangering staff or students.

### **PROCEDURES TO LOCKDOWN**

- ☐ Notify Staff and Students
  - ☐ Make an announcement to each class over the telephone intercom:  
"Your attention please. Your attention please. Initiate lockdown procedures immediately and stand by for further instructions."
- ☐ Call 911 and stay on the phone with the operator
- ☐ Sit tight. When law enforcement arrives on campus they will give you instructions

### **IN THE CLASSROOMS AND THE OFFICE**

- ☐ If students are outside move immediately inside to the classrooms (after visually checking for whether this is safe)
- ☐ Shut and lock doors and all windows and close blinds. DO NOT open the door for anyone or peek out windows until "All Clear" signal is given
- ☐ Move away from windows and stay low (below the window line)
- ☐ Keep calm and quiet
- ☐ Post green sign if everyone is OK or red sign if students are missing/injured on inside of exterior window (if it is safe to do so)
- ☐ REMAIN in classrooms and offices until the "All Clear" signal is given or you are escorted out by first responders

### **DIVISIONS INVOLVED IN SCHOOL CLOSURE DUE TO LOCKDOWN**

Management/Command

Operations: Maintenance/Fire/Site Security, Assembly/Shelter, Crisis Intervention, First Aid, Student Release (these teams will ONLY be activated when it is safe to do so)



## **ADDITIONAL LOCKDOWN PROCEDURES**

### **Short-term lockdown** (less than 8 hours)

Open emergency supply box/kit as needed

### **Long-term lockdown** (more than 8 hours)

Open emergency supply box/kit and set-up latrine system for the office area

### **After "All Clear" Signal is given**

- ☐ Activate One Call Now
- ☐ Prepare Student Release Team for orderly release
- ☐ Initiate contact with Crisis Intervention Team for grief support, trauma recovery, etc.

### **NOTE:**

Lockdown, like Duck and Cover, can be initiated by a teacher or employee in response to violent behavior, shots fired, or any other activity that threatens the safety of students and staff. When initiated by a teacher or staff, it is their responsibility to get a message to the school office about the nature of the incident, when it is safe to do so.

## **ACTION: EVACUATION**

This emergency response activity is initiated when it is determined that it is not safe to remain in school buildings or to stay on campus. In this situation, students and staff are moved to a safer location either on or off site.

### **WHEN TO EVACUATE**

Explosion	Winter Storm (Severe)	Landslide
Major Earthquake	Fire on Campus	Tsunami
National Security Emergency	Hazardous Materials Incident	

### **PROCEDURES TO EVACUATE**

#### ON SITE EVACUATION

- ☐ Notify Staff and Students
  - ☐ Make an announcement to each class over the telephone intercom:  
"Your attention please. Your attention please. Students and staff should proceed immediately to the primary (or secondary) evacuation site."  
IF SAFE, send runners to each classroom with above information. Be sure to include all programs that may be in progress.
- ☐ When all classrooms have arrived at the evacuation site, have teachers take roll determine if anyone is missing. Add names of guests/visitors
- ☐ Hold up green sign if everyone is accounted for or hold up red sign if students or staff are unaccounted for or injured
- ☐ Mobilize Operations Teams for Student Release
- ☐ Activate Apptegy/Thrillshare or Alert from the school website

#### OFF SITE EVACUATION

- ☐ Activate Emergency Transportation Plan
- ☐ Post sign in school office with directions to evacuation site & any emergency numbers for information
- ☐ Notify Staff and Students
  - Make an announcement to each class over the telephone intercom:  
"Your attention please. Your attention please. Students and staff should proceed immediately to the off-site evacuation staging area."

**OR -see next page-**

- ☐ Send runners to each classroom with above information. Be sure to include all programs that may be in progress.
- ☐ Have those who are transporting students take roll as students enter the car/van. Missing students should be immediately reported to the EOC. Add names of guests/visitors that were in your classroom and determine if anyone is missing.
- ☐ Hold up green sign if everyone is accounted for or hold up red sign if students or staff are unaccounted for or injured
- ☐ Mobilize Operations Teams for Student Release
- ☐ Activate Apptegy/Thrillshare or Alert from our website

### **DIVISIONS INVOLVED IN SCHOOL CLOSURE DUE TO EVACUATION**

Management/Command

Operations: Maintenance/Fire/Site Security, Assembly/Shelter, Student Release

Logistics: Transportation Team

## **ACTION: DUCK, COVER AND HOLD ON**

Duck and cover is a self-protective action called for whenever there is immediate danger from flying objects and/or falling debris. Usually initiated in earthquakes, it is an appropriate response for a number of different threats, such as severe weather or shooter-n-campus. The call to "duck and cover" is usually initiated by **classroom** teachers.

\* Earthquakes

### **WHEN TO DUCK, COVER AND HOLD ON**

Earthquakes

Severe Weather

Active Threat

### **PROTECTIVE MEASURES TO BE TAKEN BEFORE, DURING & FOLLOWING AN EARTHQUAKE**

- ☐ Notify Staff and Students
  - \*\*In the event of an earthquake, the ground shaking initiates the Duck, Cover and Hold On procedures\*\*
- ☐ For all other events:
  - ☐ Make an announcement to each class over the telephone intercom: 11 Duck, cover and hold on. Stand-by *for* further instructions."
  - OR**
  - ☐ Send runners to each classroom with above information. Be sure to include all programs that may be in progress.
- ☐ When the threat passes, make "All Clear" announcement and issue call to "Resume Regular Activities" or direct another response action (such as Evacuation, Cancellation or Closure of School)

### **INDOORS**

- ☐ Students and staff drop immediately to the floor and crawl under their desks (or a table or work bench). Use one hand to hold onto the furniture/table and the other to cover the back of their neck
- ☐ Stay put until "All Clear" announcement is made
- ☐ Check for injuries and make sure everyone is accounted for

#### HALLWAYS AND BATHROOMS

- ☐ Kneel next to a bare, inside wall and place your hands over the back of your neck
- ☐ Stay put until "All Clear" announcement is made
- ☐ Check for injuries and make sure everyone is accounted for

#### OUTDOORS

- ☐ Move away from trees, signs, buildings, electrical wiring and power poles
- ☐ Drop to the ground and cover the back of your neck with your hands
- ☐ Stay put until "All Clear" announcement is made
- ☐ Check for injuries and make sure everyone is accounted for

# PROTOCOL FOR SHELTER-IN-PLACE AND EVACUATION

During school hours should an emergency arise, generally students and staff will shelter-in-place. However, should students and staff need to leave the school buildings they will gather on the SW corner of the playing field. If it is necessary to evacuate from this area, the staff will lead students to Biaggi Way via the Campbell's driveway (or safest alternate route).

## PROTOCOL FOR ASSISTING THOSE WITH DISABILITIES DURING AN EVACUATION

The needs and preferences of non-ambulatory individuals will vary. Some non-ambulatory people also have respiratory complications. Others may have minimal ability to move, and lifting may be dangerous. Remove them from smoke and vapors immediately.

### To alert visually-impaired individuals

- ☐ Announce the type of emergency.
- ☐ Offer your arm for guidance. Tell person where you are going, obstacles you encounter.
- ☐ When you reach safety, ask if further help is needed.

### To alert individuals with hearing limitations

- ☐ Turn lights on/off to gain person's attention -OR-
- ☐ Indicate directions with gestures -OR-
- ☐ Write a note with evacuation directions.

### To evacuate individuals using crutches, canes or walkers

- ☐ Evacuate these individuals as injured persons, after asking what they need.
- ☐ Assist and accompany to evacuation site, if possible -OR-
- ☐ Use a sturdy chair (or one with wheels) to move person -OR-
- ☐ Help carry the individual to safety.

### To evacuate individuals using wheelchairs

- ☐ Give priority assistance to wheelchair users with electrical respirators
- ☐ Consult with the person to determine the best carry options.
- ☐ Reunite person with the wheelchair as soon as it is safe to do so.

## **BOARD POLICIES AND ADMINISTRATIVE REGULATIONS**

- ☐ Emergencies and Disaster Preparedness Plan BP/AR 3516
- ☐ Fire Drills and Fires AR 3516.1
- ☐ Bomb Threats AR 3516.2
- ☐ Earthquake Emergency Procedure System AR 3516.3
- ☐ Emergency Schedules BP 3516.5

### **C**

#### **Procedures for Safe Ingress and Egress of Pupils and School Employees to and from School**

Manchester Union Elementary School begins instruction at 8:30 a.m. each morning. Students may not be dropped at school before 8:00 a.m. The school bus arrives around 8:25 a.m.

Front doors are closed and locked from 8:30-3:00 (1:45 on Wed.).

Kindergarten students finish school at 12:10 p.m. Monday - Friday. The kindergarten teacher or an instructional aide supervises the students until they are safely picked up by their parents. If a kindergarten child is not picked up, the child is brought back into the safety of the school by the teacher or aide, the parent is contacted, and the child is supervised by a teacher or aide until a parent arrives.

Grade 1-2 students finish school at 2:30 p.m. and grades 3-8 students finish school at 3:00 p.m. Mondays, Tuesdays, Thursdays and Fridays and at 1:45 p.m. on Wednesdays. Each classroom teacher supervises their class until all the students are safely on the bus, or picked up by their parents. If a child is not picked up, the parent is contacted, and the child is supervised by an instructional aide, a teacher or the Superintendent/Principal until the parent arrives.

## D

### **\*A Safe and Orderly Environment Conducive to Learning**

- ☐ Board Policies and Administrative Regulations:
  - ☐ Environmental Safety BP/AR 3514
  - ☐ Hazardous Substances BP/AR 3514.1
  - ☐ Integrated Pest Management AR 3514.2
  - ☐ Campus Security AR 3515
  - ☐ Disruptions BP/AR 3515.2
  - ☐ Recovery for property Loss or Damage BP/AR 3515.4
  - ☐ Sex Offender Notification BP 3515.5
  - ☐ Health Care and Emergencies BP/AR 5141
  - ☐ Accidents BP 5141.1
  - ☐ Bullying 5131.2

\*These policies are found on site and at the end of this Comprehensive Safety Plan



## E

### School Discipline Rules and Procedures

☐ Campus Disturbances BP 5131.4

#### **\*\*Universal Expectations for Behavior**

***Goal: All students will learn and understand expected social behaviors and appropriate consequences.***

Students are more successful when members of the school community and families have a common understanding of behavior expectations. Please read them through with your child, stay informed about updates, and support your child through conversations about appropriate behavior when needed.

##### **Expectations:**

1. Keep hands, feet, and objects to yourself.
2. Use courteous and respectful language (no name calling or intentionally nasty words to others).
3. Treat staff members, students, and oneself with respect at all times.

##### **Rewards**

- Students and staff will respond positively when you are kind and respectful.
- You will feel good about yourself when you make positive decisions.
- “Green Ticket” raffles to recognize positive behavior.
- Trips to Mrs. Balliet's prize box (Don't ask! Mrs. B may reward you for doing something kinder or more helpful, but the feeling you get from it is more important than any prize.)
- Consistently positive behavior earns trust and privilege.
- Teachers have individual incentives within their classrooms.

##### **Consequences:**

Consequences will increase in severity with repeated offenses and may include the following:

- Loss of privileges
- Violation Tickets: Playground, or Bus
- Parent/Teacher/Principal Conferences
- Suspension/Expulsion (for specific offenses)

\*We will refine our Universal Expectations (formerly “Rules and Consequences”) throughout the year and will provide updates as we progress through this process.

\*\*Additional, area-specific expectations and procedures are available in the 2022–2023 Student Handbook.

## **F**

### **Suspension and Expulsion Policies**

- ☐ Board Policy 5144

## **G**

### **Procedures to Notify Teachers of Dangerous Pupils**

In order to provide a safe, orderly working environment for all employees, the Superintendent/Principal or designee shall ensure that employees are informed, in accordance with law, regarding crimes and offenses by students who may pose a danger in the classroom.

## **H**

### **Assessment of the Current Status of School Crime Committed on School Campus and at School Related Functions**

- ☐ Board Policies and Administrative Regulations:
  - ☐ Crime Data Reporting AR 3515.1

In assessing the current status of school crime committed on the school campus and/or at school-related functions, there have been no reported incidents of any crime of any kind.

## **I**

### **Child Abuse Reporting Procedures**

- ☐ Board Policy/Administrative Regulation 5141.4

## **J**

### **Sexual Harassment Policy**

- ☐ Board Policies and Administrative Regulations:
  - ☐ All Personnel / Students BP 5145.7
  - ☐ Students BP 5145.7

## **K**

### **Provision of any School-wide Dress Code Prohibiting "Gang-related" apparel**

- ☐ Board Policies and Administrative Regulations:
  - ☐ Dress and Grooming BP 5132
  - ☐ Gangs BP/AR 5136

## **L**

### **Non-discrimination Policy**

- ☐ Board Policies and Administrative Regulations:
  - ☐ Nondiscrimination BP 5145.3

### **NOTE:**

**County of Mendocino Office of the Sheriff-Coroner's Law  
Enforcement Tactical Response Plan will be attached here  
when received digitally.**

**(Hard copy currently available in the school office)**

## Students

### Gangs

The Governing Board desires to keep the District/School free from the threats or harmful influence of any groups or gangs which exhibit drug use, violence or disruptive behavior. The Superintendent or designee shall take steps to deter gang intimidation of students and staff and confrontations between members of different gangs. He/she shall exchange information and establish mutually supportive efforts with local law enforcement authorities.

(cf. 3515.1 - Crime Data Reporting)

(cf. 5131.4 - Campus Disturbances)

(cf. 5131.7 - Weapons and Dangerous Instruments)

The Superintendent or designee shall provide inservice training which helps staff to identify gangs and gang symbols, recognize early manifestations of disruptive activities, and respond appropriately to gang behavior. Staff shall be informed about conflict management techniques and alerted to intervention measures and community resources.

The Board realizes that students become involved in gangs for many reasons, such as peer pressure, the need for a sense of belonging, and lack of refusal skills. Age-appropriate gang violence prevention education shall start with students in the early elementary grades and may start in kindergarten.

To further discourage the influence of gangs, the Superintendent or designee shall ensure that school rules of conduct and any school dress code prohibiting gang-related apparel are enforced consistently. If a student exhibits signs of gang affiliation, staff shall so inform the parent/guardian.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5132 - Dress and Grooming)

(cf. 6164.2 - Guidance/Counseling Services)

### Legal Reference:

#### EDUCATION CODE

32230-32239 School Violence Reduction Program

35183 Gang-related apparel

35294.1 School safety plans

48907 Student exercise of free expression

51264 Educational inservice training; CDE guidelines

51265 Gang violence and drug and alcohol abuse prevention inservice training

51266-51266.5 Model gang and substance abuse prevention curriculum

58730-58736 Gang Intervention Programs

#### PENAL CODE

186.22 Participation in criminal street gang

13826-13826.7 Gang violence suppression

#### UNITED STATES CODE, TITLE 20

7101 - 7143 Safe and Drug-Free Schools and Communities Act of 1994

**Manchester Union Elementary School District**

**BP 5136 (b)**

**Management Resources:**

CDE PUBLICATIONS

On Alert: Gang Prevention in School and Inservice Guidelines, January 1994

CSBA PUBLICATIONS

Protecting Our Schools: Governing Board Strategies to Combat School Violence, 1995

(2/94 10/95) 10/96

**Policy Adopted:** 4/6/04

**Policy Amended:**

**Students**

**Gangs**

Prevention and Intervention Measures

In order to discourage the influence of gangs, school staff shall take the following measures:

1. Any student displaying behavior, gestures, apparel or paraphernalia indicative of gang affiliation shall be referred to the principal or designee.

- a. The student's parent/guardian shall be contacted and may be asked to meet with school staff.
- b. The student may be sent home to change clothes if necessary.

*(cf. 5132 - Dress and Grooming)*

2. Staff members shall be provided with the names of known gang members.

3. Students who seek help in rejecting gang associations may be referred to community-based gang suppression and prevention organizations.

*(cf. 1020 - Youth Services)*

4. Any gang graffiti on school premises shall be removed, washed down or painted over as soon as discovered.

- a. Daily checks for graffiti shall be made throughout the campus.
- b. Graffiti shall be photographed before it is removed. These photographs shall be shared with local law enforcement authorities and used in future disciplinary or criminal action against the offenders.

*(cf. 3515 - Campus Security)*

*(cf. 5131.5 - Vandalism, Theft and Graffiti)*

5. Classroom and after-school programs at each school shall be designed to enhance individual self esteem, provide positive reinforcement for acceptable behavior, and foster interest in a variety of constructive activities. These programs shall also:

- a. Explain the dangers of gang membership
- b. Provide counseling for targeted at-risk students
- c. Include lessons or role-playing workshops in gang avoidance skills and nonviolent conflict resolution, including communication skills, anger management, ethnic/cultural tolerance, and mediation skills
- d. Assign individual gang members to cooperative learning groups in which they may work toward common goals with students who are not members of their gang
- e. Provide school-to-career instruction

**Manchester Union Elementary School District**

**AR 5136 (b)**

*(cf. 6030 - Integrated Academic and Vocational Instruction)*

f. Provide positive interaction with local law enforcement staff

*(cf. 5137 - Positive School Climate)*

Gang prevention lessons may be taught jointly by teachers and law enforcement staff.

6. Staff shall actively promote membership in authorized student organizations which can provide students companionship, safety, and a sense of purpose and belonging, including:

a. Positive sports and cultural activities and affiliations with the local community

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

*(cf. 6145.2 - Athletic Competition)*

b. Structured, goal-oriented community service projects

*(cf. 6142.4 - Learning through Community Service)*

Community Outreach

Gang prevention classes or counseling offered for parents/guardians shall address the following topics:

1. The dangers of gang membership
2. Warning signs which may indicate that children are at risk of becoming involved with gangs
3. The nature of local gang apparel and graffiti
4. Effective parenting techniques
5. Conflict resolution techniques

Community programs shall address:

1. The scope and nature of local gang problems
2. Strategies by which each segment of the community may alleviate gang problems

(2/94 10/95) 10/96

**Policy Adopted:** 4/6/04

**Policy Amended:**

## Manchester Union Elementary School District Board Policy

### Students

BP 5145.3

### Nondiscrimination

The Governing Board is committed to equal opportunity for all individuals in education. District programs and activities shall be free from discrimination with respect to sex, race, color, religion, national origin, ethnic group, marital or parental status, and physical or mental disability.

The Governing Board shall ensure equal opportunities for all students in admission and access to academic courses, guidance and counseling programs, athletic programs, testing procedures, vocational education and other activities.

District programs and facilities, viewed in their entirety, shall be readily accessible to individuals with handicaps. The Superintendent or designee shall ensure that interested persons, including those with impaired vision and hearing, can obtain information about the programs, facilities and activities available to them.

Separate arrangements may be made for students according to sex in order to protect modesty in shower rooms and sex instruction, to adjust grading standards in physical education and athletic competition, or to accommodate the special needs of choral groups, drill teams, cheerleaders and the like.

School staff and volunteers must be especially careful to guard against unconscious sex discrimination and stereotyping in instruction, guidance and supervision.

As required by law, the Superintendent or designee shall notify students and parents/guardians of the district's policy on nondiscrimination and related complaint procedures.



Legal Reference:

EDUCATION CODE

40 Prohibited sex discrimination

41 School-sponsored athletic programs: prohibited sex discrimination

200-262 Prohibition of discrimination on the basis of sex

49020-49023 Athletic programs

51006-51007 Equitable access to technological education programs

51500 Prohibited instruction or activity

51501 Prohibited means of instruction

60044 Prohibited instructional materials

Title IX, Education Amendments of 1972

Brenden V. Independent School District

(Minnesota), U.S. Circuit Court of Appeals, Eighth Circuit, 742.41 Law Week 1170

Ritacco V. Norwin School District et al

U.S. District Court, W.D. Pennsylvania, 361 F. Supp. 930 (1973)

Gilpen V. Kansas State High School Activities Association, Inc.,

377 F. Supp. 1233 (1974)

Policy Adopted: 12-14-99

Attest:

Gloria J. Valquez  
Clerk of the Board

**Business and Noninstructional Operations**

**Emergencies And Disaster Preparedness Plan**

In order to save lives and protect property, all district staff and students must be prepared to respond quickly and responsibly to emergencies, disasters and events which threaten to result in a disaster.

The Superintendent or designee shall develop and maintain a disaster preparedness plan which details provisions for handling all foreseeable emergencies and disasters. The Superintendent or designee may appoint a committee to regularly review the disaster preparedness plan and recommend changes.

District plans shall address at least the following situations:

1. Fire on or off school grounds which endangers students

2. Natural or man-made disasters

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

3. Bomb threat or actual detonation

*(cf. 3516.2 - Bomb Threats)*

4. Attack or disturbance by individuals or groups

*(cf. 0450 - Comprehensive Safety Plan)*

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

*(cf. 3514 - Environmental Safety)*

*(cf. 3515 - Campus Security)*

*(cf. 3515.2 - Disruptions)*

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

*(cf. 5131.4 - Campus Disturbances)*

The Superintendent or designee should ensure that the plan includes:

1. Procedures for personal safety and security

2. Ways to ensure smooth administrative control of operations during a crisis

3. Procedures to establish a clear, effective communications system

4. Guidelines for law enforcement involvement, including specific steps for law enforcement intervention depending upon the intensity of the crisis

The Superintendent or designee shall use state-approved Standard Emergency Management System guidelines when updating district emergency and disaster preparedness plans.

The Superintendent or designee shall consult with county agencies so that the district plan may provide the best possible way of handling each situation and also provide for emergency communications systems between these agencies and the district.

The Superintendent or designee may provide a plan which allows bus seating capacity limits to be exceeded when a disaster or hazard requires students to be moved immediately to ensure their safety. (Education Code 39834)

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

Disaster preparedness exercises shall be held regularly at the school site and shall demonstrate how safety procedures may be applied to various types of emergencies. All students and employees shall receive instruction regarding emergency plans.

The Board encourages all employees to become proficient in first aid and cardiopulmonary resuscitation (CPR). The Superintendent or designee shall ascertain that at least one staff member at each school holds a valid certificate in these areas. The Superintendent or designee shall provide for CPR inservice training to be offered at least once a year for district staff.

**Legal Reference:**

**EDUCATION CODE**

32000-32004 Uniform fire signals (with requirement that every school building with capacity of 50 or more students be provided with a fire warning system)

32040 Duty to equip school with first aid kit

35295-35297 Earthquake emergency procedures

38132 Mass care and welfare shelters

39834 Operating overloaded bus

46390-46392 Emergency average daily attendance in case of disaster

49505 Natural disaster; meals for homeless students; reimbursement

**GOVERNMENT CODE**

3100 Public employees as disaster service workers

8607 Standard emergency management system

**CODE OF REGULATIONS, TITLE 5**

550 Fire drills

560 Civil defense and disaster preparedness plans

**CODE OF REGULATIONS, TITLE 19**

2400 et seq. Standardized Emergency Management System Regulations

**Management Resources:**

**CDE PROGRAM ADVISORIES**

0224.94 Contingency Planning for School Campus Emergencies, CIL: 93/94-04

**GOVERNOR'S OFFICE OF EMERGENCY SERVICES**

Standardized Emergency Management System (SEMS) Guidelines, March 1995

SEMS Approved Course of Instruction, March 1995

6/96

**Policy Adopted:** 9/9/03

**Policy Amended:**

**Business and Noninstructional Operations**

**Emergencies And Disaster Preparedness Plan**

The district disaster preparedness plan shall be available to staff, students and the public in the office of the Superintendent. The disaster plan shall be provided to each teacher and shall be available for public inspection at the Superintendent's office. The Superintendent shall make certain that students and staff are familiar with the plan.

The Governing Board shall grant the use of school buildings, grounds and equipment to public agencies, including the American Red Cross, for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare. The Board shall cooperate with such agencies in furnishing and maintaining whatever services it deems necessary to meet the community's needs. (Education Code 38132)

Release of Students

The following procedures shall be followed in releasing students in the event of an emergency or disaster:

1. The Superintendent or designee will authorize the release of students.
2. Individual students shall not leave a school site without receiving permission from the Superintendent or designee.
3. If possible, staff shall release students only to persons authorized on the student emergency card.
4. In absence of an emergency card or in an emergency in which reference to the emergency card is impossible, individual students shall be released, upon presentation of identification, to parents/guardians, persons authorized by the parents/guardians, or to authorized persons representing public agencies that may take responsibility, when necessary, for the safety of the student.
5. The Superintendent or designee shall record the release of all students.

Role of Staff

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

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

During an emergency, staff shall fulfill the following roles:

*(cf. 4119.3 - Duties of Personnel)*

1. The Superintendent or designee shall assume overall control and supervision of activities at the school during an emergency. He/she shall have authority to use discretionary judgment in emergency situations which do not permit execution of prearranged plans. The Superintendent or designee shall:
  - a. Direct evacuation of buildings
  - b. Arrange for transfer of students when their safety is threatened

**Manchester Union Elementary School District**

**AR 3516 (b)**

- c. Inform the Superintendent or designee of all emergency actions taken as soon as possible
  - d. Schedule periodical fire drills and other disaster preparedness exercises and keep appropriate records
  - e. Post directions for fire drills and civil defense drills in classrooms, multipurpose rooms, etc.
2. Teachers shall be responsible for supervision of students in their charge. Teachers shall:
- a. Direct evacuation of students in their charge in accordance with the principal's instruction
  - b. Give the DROP command as necessary
  - c. Take attendance, stay with the students and provide supervision
  - d. Report missing students to the Superintendent/Principal or designee
  - e. Send students in need of first aid to the school nurse or a person trained in first aid
3. Custodians are responsible for the use of emergency equipment, the handling of supplies and the use of available utilities. Custodians shall:
- a. Survey and report damage to the Superintendent/Principal
  - b. Direct rescue operations as required
  - c. Direct fire-fighting efforts until regular fire-fighting personnel take over
  - d. Control main shutoff valves for gas, water and electricity and ascertain that no hazard results from broken gas, water mains or fallen electrical lines
  - e. Disburse supplies and equipment as needed
4. The school secretary and secretarial staff shall:
- a. Report a fire or disaster to the appropriate authorities
  - b. Answer telephones and monitor radio emergency broadcasts
  - c. Provide for the safety of essential school records and documents
  - d. Assist the principal as needed
5. The school nurse shall:
- a. Administer first aid
  - b. Supervise the administration of first aid
  - c. Organize first aid and medical supplies

6. The cafeteria manager shall direct the use and preparation of the cafeteria stock and water supply whenever the feeding of students becomes necessary during a disaster.

7. The bus driver(s) shall:

- a. Supervise students if a disaster occurs while they are on the bus
- b. Issue the DROP command as necessary while students are on the bus
- c. Transfer students to a new location when directed by the principal
- d. Assist the custodian in damage control

(3/89) 6/96

**Policy Adopted:** 9/9/03

**Policy Amended:**

**Business and Noninstructional Operations**

**Fire Drills And Fires**

The Superintendent/Principal shall hold a fire drill at least once a month. (5 CCR 550)

1. Whenever the fire signal is given, all students, teachers and other employees shall quickly leave the building in an orderly manner. Teachers shall ascertain that no student remains in the building.
2. Teachers shall be prepared to select alternate exits and shall direct their classes to these exits whenever the designated escape route is blocked.
3. The principal or designee shall keep a record of each fire drill conducted and file a copy of this record with the office of the Superintendent or designee.

When a fire is discovered in any part of the school, the following actions shall be taken:

1. The Superintendent/Principal or designee shall sound fire signals.
2. The Superintendent/Principal or designee shall call 911.
3. Students and adults shall leave the building and go directly to outside assembly areas.
4. Staff shall give students clear direction and supervision and help retain calm.
5. In outside assembly areas, teachers shall take roll, report missing students, and provide assistance to any injured students.
6. If the fire is extensive, students shall be taken to an alternate location for protective custody until parents/guardians can pick them up or until they can be safely transported to their homes.

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

**Legal Reference:**

EDUCATION CODE

32000-32004 Uniform fire signals

32040 Duty to equip school with first aid kit

CODE OF REGULATIONS, TITLE 5

550 Fire drills

(3/89) 10/96

**Policy Adopted:** 9/9/03

**Policy Amended:**

**Business and Noninstructional Operations**

**Bomb Threats**

Receiving Threats

Any staff member receiving a telephoned bomb threat shall try to keep the caller on the line so as to gather information about the location and timing of the bomb and the person(s) responsible. He/she should also try to determine the caller's gender and age and should take note of any distinctive features of voice or speech and any background noises such as music, traffic, machinery or other voices.

Staff members who customarily receive telephone calls or handle packages shall receive training related to bomb threats.

Procedures

1. Any employee who receives a bomb threat shall immediately call 911 and also report the threat to the principal or designee. If the threat is in writing, he/she shall place the message in an envelope and take note of where and by whom it was found.

2. Any student or employee seeing a suspicious package shall promptly notify the principal or designee.

3. The Superintendent/Principal or designee shall immediately use fire drill signals and institute standard evacuation procedures as specified in the emergency plan.

*(cf. 3516 - Emergency and Disaster Preparedness Plan)*  
*(cf. 3516.1 - Fire Drills and Fires)*

4. The Superintendent/Principal or designee shall turn off any two-way radio equipment which is located in a threatened building.

Law enforcement and/or fire department staff shall conduct the bomb search. School police officers may assist in this search. No other school staff shall search for or handle any explosive or incendiary device.

Except for school police officers, no staff or students shall reenter the threatened building(s) until the law enforcement and/or fire department staff advises the principal or designee that reentry is safe.

Any student who makes a bomb threat shall be subject to disciplinary procedures.

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



**Manchester Union Elementary School District**

**AR 3516.2 (b)**

**Legal Reference:**

**EDUCATION CODE**

44810 Willful interference with classroom conduct

48900 Grounds for suspension or expulsion

51202 Instruction in personal and public health and safety

**PENAL CODE**

17 Felony, misdemeanor, classification of offenses

148.1 False report of explosive or facsimile bomb

245 Assault with deadly weapon or force likely to produce great bodily injury; punishment

594 Vandalism; penalty

(9/91) 10/96

**Policy Adopted:** 9/9/03

**Policy Amended:**

**Business and Noninstructional Operations**

**Earthquake Emergency Procedure System**

The Superintendent/Principal or designee shall establish an emergency procedure system to be followed in case of earthquakes. This system shall include, but not be limited to, the following: (Education Code 35297)

1. A school building disaster plan, ready for implementation at any time, for maintaining the safety and care of students and staff
2. A DROP procedure in which students and staff members:
  - a. Take cover under a table or desk
  - b. Drop to their knees
  - c. Protect their head with their arms
  - d. Face away from the windows
3. Protective measures to be taken before, during and after an earthquake
4. A training program to ensure that all students and all certificated and classified staff are aware of, and properly skilled in, the earthquake emergency procedure system

School disaster plans shall outline roles, responsibilities and procedures for students and staff.

(cf. 3516 - Emergency and Disaster Preparedness Plan)

DROP procedures may be expanded to ensure that students get under stationary desks or tables where available, or otherwise get next to an inside wall or under an inside doorway. Students should stay in the drop position until the emergency is over or until further instructions are given.

**Earthquake Education**

DROP procedures shall be practiced at least once each school quarter. (Education Code 35297)

Students also shall be taught to take the following safety precautions during an earthquake if adults are not present to give specific directions:

1. If you are in the open, stay there.
2. Move away from buildings, trees, and exposed wires.
3. After the earthquake, if you are on your way to school, continue to school.
4. After the earthquake, if you are on your way home, continue home.

## **Manchester Union Elementary School District**

**AR 3516.3 (b)**

### Earthquake While Indoors at School

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

1. Teachers shall have students perform the DROP procedure.
2. As soon as possible, teachers shall move the students away from windows and out from under heavy suspended light fixtures.
3. Teachers shall have students leave the building in an orderly manner when the earthquake is over.

### Earthquake While on School Grounds

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

1. The teacher shall direct students to walk away from buildings, trees, poles or exposed wires.
2. The teacher shall have students perform the DROP procedure, covering as much skin surface as possible, closing eyes and covering ears.
3. Teachers and students shall stay in the open until the earthquake is over or until further directions are given.

### Earthquake While on the Bus

When students are on the school bus and an earthquake occurs, the following actions shall be taken:

1. The bus driver shall pull to the side of the road away from any buildings, poles, wires, overhead structures or bridges, if possible, and have students perform the DROP procedure.
2. The driver shall set the brakes, turn off the ignition, and wait until the earthquake is over before proceeding on the route.
3. As soon as possible, the driver shall contact the director of transportation for instructions.

### Subsequent Emergency Procedures

1. In outside assembly areas, teachers shall provide assistance to any injured students, take roll and report missing students to the principal or designee.
2. The Superintendent/Principal shall request assistance as needed from the county civil defense office or fire and police departments. He/she shall consider the possibility of aftershocks and shall determine the advisability of closing the school, with the advice of the county or city officials, as appropriate.
3. The Superintendent/Principal shall post guards at a safe distance from all building entrances to see that no one reenters until the buildings are declared safe. Monitors may be custodians, teachers or students.
4. Following the earthquake, the Superintendent/Principal and custodian shall inspect all buildings for water and gas leaks, electrical breakages and large cracks or earth slippage affecting buildings. The Superintendent/Principal shall notify utility companies of any break or suspected break in lines which may

**Manchester Union Elementary School District**

**AR 3516.3 (c)**

present an additional hazard. If damage has occurred, the custodian shall shut off all utilities at the main valve.

5. Teachers or students shall not light any stoves or burners after the earthquake until the area is declared safe.

6. If the Superintendent/Principal believes the school is damaged sufficiently to be a hazard, he/she shall notify the county or city building inspector and ask for an inspection to be made to check for structural failure and equipment adequacy. *Until this is done, the building shall not be occupied.*

**Legal Reference:**

EDUCATION CODE

35295-35297 Emergency earthquake procedures

(5/85) 10/96

**Policy Adopted:** 9/9/03

**Policy Amended:**

## Business and Noninstructional Operations

### Emergency Schedules

In order to provide for the safety of students and staff, the Governing Board authorizes the Superintendent or designee to close a school site, change the regular school day schedule, or take any necessary action when hazardous environmental or weather conditions or other emergencies warrant.

*(cf. 0450 - Comprehensive Safety Plan)*  
*(cf. 4157/4257/4357 - Employee Safety)*  
*(cf. 5142 - Safety)*  
*(cf. 6112 - School Day)*

When an emergency condition causes a school closure, reduction in attendance, or change in schedule pursuant to Education Code 41422 or 46392, thereby preventing the district from complying with the minimum number of instructional days or minutes required by law, the Superintendent or designee shall complete and submit to the Superintendent of Public Instruction the necessary forms for obtaining approval of the days of the closure, reduction in attendance, or change in schedule. The Superintendent or designee shall submit other relevant district records as may be required.

*(cf. 3580 - District Records)*  
*(cf. 6111 - School Calendar)*

The Superintendent or designee shall establish a system for informing students and parents/guardians when school buses are not operating as scheduled, the school day schedule is changed, or the school is closed. The district's notification system shall include, but is not limited to, notifying local television and radio stations, posting on district web site(s), sending email and text messages, and/or making telephone calls.

*(cf. 1112 - Media Relations)*  
*(cf. 1113 - District and School Web Sites)*  
*(cf. 3542 - School Bus Drivers)*  
*(cf. 3543 - Transportation Safety and Emergencies)*

Whenever the school day schedule changes after students have arrived at school, the Superintendent or designee shall ensure that students are supervised in accordance with the procedures specified in the district's emergency and disaster preparedness plan.

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

The Superintendent or designee may provide a means to make up lost instructional time later during the year. Students and parents/guardians shall receive timely advanced notice of any resulting changes in the school calendar or school day schedule.

**Legal Reference:**

EDUCATION CODE

41420 Required length of school term

41422 Schools not maintained for 175 days

46010 Total days of attendance

46100-46192 Attendance; maximum credit; minimum day

46390 Calculation of ADA in emergency

46391 Lost or destroyed ADA records

46392 Decreased attendance in emergency situation

VEHICLE CODE

34501.6 School buses; reduced visibility

**Management Resources:**

CALIFORNIA DEPARTMENT OF EDUCATION CORRESPONDENCE

90-01 Average Daily Attendance Credit During Periods of Emergency, February 10, 2005

WEB SITES

California Department of Education: <http://www.cde.ca.gov>

**Policy Adopted: 9-9-03**

**Policy Amended: 4-21-20**

**Business and Noninstructional Operations**

**Environmental Safety**

The Governing Board recognizes its obligation to provide a safe and healthy environment at school facilities for students, staff and community members. The Board shall identify and address potential risks to health and the environment and shall ensure that environmental resources are used in a responsible manner.

(cf. 3513.3 - Tobacco-Free Schools)  
(cf. 3514.1 - Hazardous Substances)  
(cf. 3516 - Emergencies and Disaster Preparedness Plan)  
(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)  
(cf. 4119.43/4219.43/4319.43 - Universal Precautions)  
(cf. 4157/4257/4357 - Employee Safety)  
(cf. 5142 - Safety)  
(cf. 6161.3 - Toxic Art Supplies)  
(cf. 7111 - Evaluating Existing Buildings)  
(cf. 7150 - Site Selection and Development)

The Superintendent or designee shall establish regulations to prevent and/or reduce environmental hazards in accordance with law and state guidelines. Strategies shall include but not necessarily be limited to:

1. Considering air quality in the siting and architectural design of new or remodeled facilities and in the selection of building materials and furnishings, and taking steps to reduce indoor air contaminants in maintenance operations
2. Ensuring the use of effective least toxic pest management practices at all district schools  
(cf. 3514.2 - Integrated Pest Management)
3. Minimizing the exposure to lead in paint, soil or drinking water, especially in areas accessible to very young children
4. Inspecting and testing facilities for asbestos-containing materials and protecting persons during encapsulation and removal of any asbestos

The Superintendent or designee shall notify parents/guardians, as appropriate, if an environmental hazard is discovered at a school site. The notification shall detail the district's efforts to remedy the hazard.

**Legal Reference:**

**EDUCATION CODE**

17366 Legislative intent (fitness of buildings for occupancy)  
17582 Deferred maintenance fund  
17590 Asbestos abatement fund  
17608-17613 Healthy Schools Act of 2000  
32240-32245 Lead-Safe Schools Protection Act  
48980.3 Notification of pesticides  
49410-49410.7 Asbestos materials containment or removal

**Manchester Union Elementary School District**

**BP 3514 (b)**

**FOOD AND AGRICULTURAL CODE**

11401-12408 Pest Control Operations and Agricultural Chemicals

13180-13188 Healthy Schools Act of 2000

**GOVERNMENT CODE**

3543.2 Scope of representation; right to negotiate safety conditions

3543.3

**CODE OF REGULATIONS, TITLE 8**

340-340.3 Employer's obligation to provide safety information

1532.1 Construction safety orders, lead standard

5142 Heating, ventilating and air conditioning systems; minimum ventilation

5143 Mechanical ventilating systems; inspection and maintenance

**CODE OF REGULATIONS, TITLE 17**

35001-35099 Accreditation in Lead Abatement Services

**UNITED STATES CODE, TITLE 7**

136-136y Insecticide, Fungicide and Rodenticide Act

**UNITED STATES CODE, TITLE 15**

2641-2656 Asbestos Hazard Emergency Response Act

**CODE OF FEDERAL REGULATIONS, TITLE 40**

763.93 Management Plans

763.94 Record keeping

**Management Resources:**

**CDE PUBLICATIONS**

Indoor Air Quality, A Guide for Educators, 1995

**DEPARTMENT OF HEALTH SERVICES ADVISORIES**

Lead Hazards in California's Public Elementary Schools and Child Care Facilities: Report to the California State Legislature, April 1998

**U.S. ENVIRONMENTAL PROTECTION AGENCY**

Pest Control in the School Environment: Adopting Integrated Pest Management, 1993

**WEB SITES**

CDE: <http://www.cde.ca.gov>

California Department of Health Services, Lead Poisoning Prevention Branch:

<http://www.dhs.ca.gov/childlead>

U.S. EPA: <http://www.epa.gov>

California Department of Pesticide Regulation: <http://www.cdpr.ca.gov>

(10/93 6/95) 7/01

**Policy Adopted:** date unknown

**Policy Amended:** 9/9/03



**Business and Noninstructional Operations**

**Environmental Safety**

**Air Quality**

The Superintendent or designee shall ensure that the following measures are taken in order to reduce indoor air contaminants:

1. Heating, ventilating and air conditioning systems shall be operated, inspected and maintained in accordance with 8 CCR 5142-5143. School buildings shall be inspected annually to ensure they have adequate ventilation systems, which are properly maintained so as to preclude the buildup of mold, mildew, and other air contaminants. Filters shall be changed frequently.
2. Indoor painting of school buildings shall be limited to those times when school is not in session.
3. Low-emission cleaning products shall be used whenever possible, and custodial duties that require polluting products shall be performed after classes are dismissed.
4. Paints, adhesives and solvents shall be used and stored in well-ventilated areas; these items shall be purchased in small quantities to avoid storage exposure.
5. Exterior wall and foundation cracks and openings shall be sealed as soon as possible, to control exposure to radon.
6. Water-damaged ceiling tiles, carpet, and other building materials shall be removed as soon as practicable.
7. Plain water or soap and water shall be used as cleaning agents; aerosols, including air fresheners, shall be avoided.
8. Pest control measures shall involve the use of integrated pest management procedures (IPM).

*(cf. 3514.2 - Integrated Pest Management)*

**Lead Exposure Reduction**

The following steps shall be taken to minimize potential exposure to lead:

1. Painted surfaces shall be kept intact whenever possible. To minimize lead dust during maintenance operations, a tarp or plastic shall be placed under paint removal operations to collect old paint debris, paint shall be dampened before removing it with a scraper, nearby surfaces shall be cleaned with a wet mop or cloth after the job is completed, a High Efficiency Particulate Air (HEPA) attachment may be used on power sanders, and clean-up may be conducted with HEPA vacuums to remove lead dust. An open flame shall not be used to remove old paint.
2. Soil with high lead content may be covered with grass, other plantings, concrete or asphalt. Children's access to bare soil shall be limited.
3. When drinking water is found to have unacceptable levels of lead, water outlets shall be flushed daily for at least 30 seconds prior to use. The Superintendent or designee also may reduce lead

concentrations in the source water, install a corrosion control device at the school's point of entry, or provide bottled water as appropriate.

4. Lead exposure hazards shall be evaluated before any renovation or remodeling is begun, and children shall not be allowed in or near buildings in which these activities may create lead dust. Contractors and workers shall comply with state and federal standards related to the handling and disposal of lead debris and the clean-up and containment dust within the construction area.

5. The Superintendent or designee may provide parents/guardians and students with information about the prevention of lead poisoning.

*(cf. 5141.32 - Child Health and Disability Prevention Program)*

6. Remedial action to abate existing lead hazards shall be taken only by personnel qualified in accordance with law. (Education Code 32243)

#### Asbestos Testing and Abatement

Maintenance staff shall be trained in the location, identification, proper cleaning and ongoing maintenance of asbestos-containing materials and in the removal and decontamination of small amounts of such materials when needed to repair pipes or perform similar duties. Extensive asbestos abatement work shall be completed by state-certified asbestos abatement contractors in compliance with state and federal standards.

The district's complete, updated management plan for material containing asbestos in school buildings shall be available for inspection in district and school offices during normal business hours. Parent, teacher and employee organizations shall annually be informed of the availability of this plan. (40 CFR 763.93)

*(cf. 3580 - District Records)*

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

*(cf. 5145.6 - Parental Notifications)*

#### Other Environmental Safety Precautions

Principals or their designees shall enforce school rules designed to:

1. Prevent the accumulation of flammable, noxious or otherwise dangerous materials unless adequate safeguards are provided

*(cf. 6161.3 - Toxic Art Supplies)*

2. Keep all school facilities free of debris

3. Keep walkways at all times open to pedestrian traffic and clear of obstructions

(10/93 6/95) 7/01

**Policy Adopted:** date unknown

**Policy Amended:** 9/9//03

**Business and Noninstructional Operations**

**Hazardous Substances**

The Governing Board recognizes that potentially hazardous substances are used in the daily operations of our schools. The Superintendent or designee shall ensure these substances are inventoried, used, stored and regularly disposed of in a safe and legal manner.

Insofar as possible, the Superintendent or designee shall minimize the quantities of hazardous substances stored on school property and shall substitute less dangerous materials for hazardous substances.

Hazard Communication Program

The Superintendent or designee shall develop, implement and monitor a written hazard communication program in accordance with state law. As part of this program, he/she shall ensure that employees are fully informed about the properties and potential hazards of substances to which they may be exposed and that material safety data sheets are readily accessible to them.

Teachers shall instruct students about the importance of proper handling, storage, disposal and protection when using any potentially hazardous substance.

*(cf. 3514 - Environmental Safety)*

*(cf. 4157/4257/4357 - Employee Safety)*

*(cf. 5141.23 - Infectious Disease Prevention)*

*(cf. 6161.3 - Toxic Art Supplies)*

**Legal Reference:**

EDUCATION CODE

49341 Legislative findings

49401.5 Legislative intent; consultation services

49411 Chemical listing; compounds used in school programs; determination of shelf life; disposal

FOOD AND AGRICULTURE CODE

12981 Regulations re pesticides and worker safety

HEALTH AND SAFETY CODE

25163 Transportation of hazardous wastes; registration; exemptions; inspection

25500-25520 Hazardous materials release response plans; inventory

LABOR CODE

6360-6363 Hazardous Substances Information and Training Act

CODE OF REGULATIONS, TITLE 8

5194 Hazard Communication

(9/88 12/89) 2/97

**Policy Adopted:** date unknown

**Policy Amended:** 9/9/03

**Business and Noninstructional Operations**

**Hazardous Substances**

The disposal of chemicals may be accomplished in accordance with removal and disposal systems established by the County Office of Education or by permission of the County Superintendent of Schools. (Education Code 49411)

Hazard Communication Program

The written hazard communication program shall be available upon request to all employees and their designated representatives. (8 CCR 5194)

The following materials are exempted from the hazard communication program and this district regulation: hazardous wastes; tobacco products; wood and wood products; manufactured articles; food, drugs and cosmetics intended for personal consumption by employees while in the workplace; and substances used in compliance with regulations issued by the Department of Pesticide Regulation pursuant to Food and Agriculture Code 12981.

**1. Container Labeling**

Except for consumer products, pesticides, alcoholic beverages, and food, drug and additive products which are already labeled in compliance with federal law, no container of hazardous substance shall be accepted by schools or the district unless labeled by the supplier with the following information:

- a. Identity of the hazardous substance(s)
- b. Hazard warning statements
- c. Name and address of the chemical manufacturer or importer

Whenever hazardous substances are transferred from their original containers to other containers, the secondary containers shall likewise be labeled with the identity and hazard warning statement.

**2. Material Safety Data Sheets**

Upon receiving a hazardous substance or mixture, the Superintendent or designee shall ensure that the manufacturer has also furnished a Material Safety Data Sheet (MSDS) as required by law. If the MSDS is missing or obviously incomplete, the Superintendent or designee shall request a new MSDS from the manufacturer and shall notify the California Occupational Safety and Health Division (Cal/OSHA) if a complete MSDS is not received.

The Superintendent or designee shall maintain copies of the MSDS for all hazardous substances and ensure that they are kept up to date and available to all affected employees during working hours. He/she shall review each incoming MSDS for new and significant health or safety information and shall disseminate this information to affected employees.

**3. Employee Information and Training**

Employees shall receive inservice training on hazardous substances in their work area at the time of their initial assignment and whenever a new hazard is introduced into their work area. This training shall include but is not limited to: (8 CCR 5194)

- a. An overview of the requirements of California's Hazard Communication Regulation (8 CCR 5194), including employee rights described therein
  - b. The location, availability and content of the district's written hazard communication program
  - c. Information as to any operations in the employees' work area where hazardous substances are present
  - d. The physical and health effects of the hazardous substances in the work area
  - e. Techniques and methods of observation that may determine the presence or release of hazardous substances in the work area
  - f. Methods by which employees can lessen or prevent exposure to these hazardous substances, such as appropriate work practices, use of personal protective equipment and engineering controls
  - g. Steps the district has taken to lessen or prevent exposure to these substances
  - h. Instruction on how to read labels and review the MSDS for appropriate information
  - i. Emergency and first aid procedures to follow if exposed to the hazardous substance(s)
- 4. List of Hazardous Substances**

For specific information about the hazardous substances known to be present in the district and schools, employees may consult the MSDS.

**5. Hazardous Nonroutine Tasks**

When employees are required to perform hazardous nonroutine tasks, they shall first receive information about the specific hazards to which they may be exposed during this activity and the protective/safety measures which must be used. They shall also receive information about emergency procedures and the measures the district has taken to lessen the hazards, including ventilation, respirators, and the presence of another employee.

**6. Hazardous Substances in Unlabeled Pipes**

Before starting to work on unlabeled pipes, employees shall contact their supervisors for information as to the hazardous substance(s) contained in the pipes, the potential hazards, and safety precautions which must be taken.

*(cf. 3514 - Environmental Safety)*

**7. Informing Contractors**

To ensure that outside contractors and their employees work safely in district buildings and schools, the Superintendent or designee shall inform these contractors of hazardous substances which are present on the site and precautions that employees may take to lessen the possibility of exposure. It shall be the contractor's responsibility to disseminate this information to his/her employees and subcontractors.

(12/89) 2/97

**Policy Adopted:** date unknown

**Policy Amended:** 9/9/03

**Business and Noninstructional Operations**

***Integrated Pest Management***

The Superintendent or designee shall develop and implement an integrated pest management program that incorporates effective least toxic pest management practices.

Integrated pest management is a strategy that focuses on long-term prevention or suppression of pest problems through a combination of techniques such as monitoring for pest presence and establishing treatment threshold levels, using nonchemical practices to make the habitat less conducive to pest development, improving sanitation, and employing mechanical and physical controls. (Food and Agricultural Code 13181)

Procedures

In the control and/or management of pests at district facilities, the Superintendent or designee shall:

1. Carefully monitor and identify the pest and the site of infestation. Strategies for managing the pest shall be influenced by the pest species and whether that species poses a threat to people, property or the environment.
2. Consider a full range of possible alternatives. Such alternatives include not taking any action or controlling the pest by physical, mechanical, chemical, cultural or biological means.
3. Select nonchemical pest management methods over chemical methods, whenever they are effective to provide the desired control. Cost or staffing considerations alone will not be adequate justification for use of chemical control agents.
4. Use the least toxic material when it is determined that a chemical method of pest management must be used. The least toxic material shall be chosen and applied in accordance with law.
5. Limit pesticide purchases to amounts needed for the year. Pesticides shall be stored at a secure location that is not accessible to students and unauthorized staff, and they shall be stored and disposed of in accordance with state regulations and label directions registered with the Environmental Protection Agency.

*(cf. 3514.1 - Hazardous Substances)*

6. Ensure that persons applying pesticides follow label precautions and are trained in the principles and practices of integrated pest management.

*(cf. 4231 - Staff Development)*

Notification

The Superintendent or designee shall annually notify staff and parents/guardians of students enrolled at a school site, in writing, regarding pesticide products expected to be applied at the school facility in the upcoming year. The notification shall include at least the following: (Education Code 17612)

1. The Internet address used to access information on pesticides and pesticide use reduction developed by the Department of Pesticide Regulation pursuant to Food and Agricultural Code 13184.

2. The name of each pesticide product expected to be applied in the upcoming year and the active ingredient(s) in it.
3. An opportunity for interested persons to register to receive notification of individual pesticide application at the school site. The Superintendent or designee shall notify such registered persons of individual pesticide applications at least 72 hours prior to the application.
4. Other information deemed necessary by the Superintendent or designee.

(cf. 4112.9/4212.9/4312.9 - *Employee Notifications*)  
(cf. 5145.6 - *Parental Notifications*)

If a pesticide product not included in the annual notification is subsequently intended for use at the school site, the Superintendent or designee shall provide written notification of its intended use to staff and parents/guardians of students enrolled at the school, at least 72 hours prior to the application. (Education Code 17612)

#### Posting of Warning Signs

The Superintendent or designee shall post a warning sign at each area of the school site where pesticides will be applied, at least 24 hours prior to the application and until 72 hours after the application. The warning sign shall display the following: (Education Code 17612)

1. The term "Warning/Pesticide Treated Area"
2. The product name, manufacturer's name, and the Environmental Protection Agency's product registration number.
3. Intended areas and dates of application.
4. Reason for the pesticide application.

#### Notification During Emergency Conditions

Whenever the Superintendent or designee deems that the immediate use of a pesticide is necessary to protect the health and safety of students, staff, or other persons, or the school site, he/she shall make every effort to provide the required notifications prior to the application of a pesticide. In such a case, the warning sign shall be posted immediately upon application and shall remain posted until 72 hours after the application. (Education Code 17609, 17612)

(cf. 3514 - *Environmental Safety*)

#### Records

Each school site shall maintain records of all pesticide use at the school for four years, and shall make the information available to the public, upon request, in accordance with the California Public Records Act. Such records may be maintained by retaining a copy of the warning sign posted for each pesticide application with a recording of the amount of the pesticide used. (Education Code 17611)

(cf. 3580 - *District Records*)



**Manchester Union Elementary School District**

**AR 3514.2(c)**

**Legal Reference:**

**EDUCATION CODE**

17608-17613 Healthy Schools Act of 2000

17366 Legislative intent (fitness of buildings for occupancy)

48980.3 Notification of pesticides

**FOOD AND AGRICULTURAL CODE**

11401-12408 Pest control operations and agricultural chemicals

13180-13188 Healthy Schools Act of 2000

**GOVERNMENT CODE**

3543.2 Scope of representation; right to negotiate safety conditions

6250-6277 California Public Records Act

**CODE OF REGULATIONS, TITLE 8**

340-340.3 Employer's obligation to provide safety information

5142 Heating, ventilating and air conditioning systems; minimum ventilation

5143 Mechanical ventilating systems; inspection and maintenance

**UNITED STATES CODE, TITLE 7**

136-136y Insecticide, Fungicide and Rodenticide Act

**CODE OF FEDERAL REGULATIONS, TITLE 40**

763.93 Management plans

763.94 Record keeping

**Management Resources:**

**CDE PUBLICATIONS**

*Indoor Air Quality, A Guide for Educators, 1995*

**U.S. ENVIRONMENTAL PROTECTION AGENCY**

*Pest Control in the School Environment: Adopting Integrated Pest Management, 1993*

**WEB SITES**

CDE: <http://www.cde.ca.gov>

California Department of Pesticide Regulation: <http://www.cdpr.ca.gov>

U.S. EPA: <http://www.epa.gov>

7/01

**Policy Adopted:** 9/9/03

**Policy Amended:**

**Business and Noninstructional Operations**

**Campus Security**

The Superintendent or designee shall ensure that campus security procedures are developed which are consistent with the goals and objectives of the district's comprehensive safety plan.

*(cf. 0450 - Comprehensive Safety Plan)*

These procedures shall include strategies and methods to:

1. Secure the campus perimeter and school facilities in order to prevent criminal activity. These strategies shall include an analysis of the building security system, lighting system, and campus fencing. Procedures to ensure unobstructed views and eliminate blind spots caused by doorways and landscaping shall also be considered. In addition, parking lot design may be studied, including methods to discourage through traffic.

2. Secure buildings from outsiders and discourage trespassing. These procedures may include requiring visitor registration, requiring staff and student identification tags, and patrolling places used for congregating and loitering.

*(cf. 1250 - Visitors/Outsiders)*

*(cf. 3515.2 - Disturbances)*

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

3. Discourage vandalism and graffiti. These methods may include plans to immediately cover graffiti as well as campus beautification projects and shall also include students and the community in these projects.

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

*(cf. 5131.5 - Vandalism, Theft and Graffiti)*

4. Control access to keys and other school inventory.

*(cf. 3440 - Inventories)*

5. Detect and intervene with school crime. These procedures may include the creation of a school watch program, an anonymous crime reporting system, analysis of school crime incidents, and collaboration and communication with local law enforcement agencies.

All staff shall receive training in building and grounds security procedures.

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

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

These procedures shall be regularly reviewed and updated in order to reflect changed circumstances and to assess progress in achieving safe school objectives.

Keys

All keys used in a school shall be the responsibility of the principal or designee. Keys shall be issued only to those employees who regularly need a key in order to carry out normal activities of their position.

The person issued a key shall be responsible for its safekeeping. If a key is lost, the person responsible shall report the loss to the principal or designee immediately and shall pay for a replacement key.

Keys shall be used only by authorized employees and shall never be loaned to students.

The master key shall not be loaned and the duplication of school keys is prohibited.

**Legal Reference:**

EDUCATION CODE

32020 Access gates

32211 Threatened disruption or interference with classes

35294-35294.9 School safety plans

38000-38005 Security patrols

PENAL CODE

469 Unauthorized making, duplicating or possession of key to public building

626-626.10 Disruption of schools

**Management Resources:**

CDE PUBLICATIONS

Safe Schools: A Planning Guide for Action, 1995

CSBA PUBLICATIONS

Protecting Our Schools: Governing Board Strategies to Combat School Violence, 1995

(3/89) 6/96

**Policy Adopted:** date unknown

**Policy Amended:** 9/9/03

**Business and Noninstructional Operations**

**Crime Data Reporting**

The principal or designee at each school shall immediately record each incident of school crime on the California Safe Schools Assessment (CSSA) incident form and shall monthly send these forms to the Superintendent or designee. (Penal Code 628-628.2)

The Superintendent or designee shall report school crime information to the California Department of Education or its designee by February 1 of each year for the period of July 1 through December 31 and by August 1 of each year for the period of January 1 through June 30. (Penal Code 628.2)

*(cf. 1112 - Media Relations)*

Copies of CSSA incident forms and any districtwide aggregated data shall be made available to the public upon request. (Penal Code 628.2)

The district shall make available, for at least three years from the date the report was submitted, supporting data which verifies information contained on the CSSA forms. Such data shall include, but not be limited to: (5 CCR 702)

1. Reports to local law enforcement officers for the crime classifications specified in Education Code 48915(a)-(d)
2. Suspension and expulsion reports which have been reported to the Governing Board for the crime classifications specified in Education Code 48915(a)-(d)

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

3. Insurance claims, maintenance records and other documents to verify economic loss, if applicable

*(cf. 0510 - School Accountability Report Card)*

*(cf. 1340 - Access to District Records)*

*(cf. 3515 - Campus Security)*

The Superintendent or designee shall ensure that staff is made available to participate in interviews during site visits from the California Department of Education. (5 CCR 702)

The Superintendent or designee shall certify to the best of his/her knowledge and belief that the information in each CSSA form is true, accurate and complete prior to submission to the California Department of Education. (5 CCR 704)

**Legal Reference:**

EDUCATION CODE

14044 Crimes committed on school grounds

48915 Expulsion

PENAL CODE

628-628.6 Reporting of school crime

CODE OF REGULATIONS, TITLE 5

700-705 Safe schools assessment programs

**Manchester Union Elementary School District**

**AR 3515.1(b)**

**Management Resources:**

**CDE PUBLICATIONS**

*Understanding and Reporting School Crime, California Safe Schools Assessment, California Department of Education and Butte County Office of Education, 1995*

**WEB SITES**

CDE Safe Schools and Violence Prevention Office: <http://www.cde.ca.gov/spbranch/safety/safetyhome.html>

Butte County Office of Education (CDE's designee): <http://www.cssa.butte.k12.ca.us>

(6/93 10/95) 10/98

**Policy Adopted:** date unknown

**Policy Amended:** 9/9/03

**Business and Noninstructional Operations**

**Disruptions**

The Governing Board is committed to keeping the schools free from disruptions and to keeping unauthorized persons from entering school grounds. The Superintendent or designee shall provide for the prompt removal from school premises of any individual who disrupts or threatens to disrupt normal school operations, threatens the health and safety of students or staff, or causes property damage.

*(cf. 1250 - Visitors/Outsiders)*

Administrative regulations may be developed in collaboration with local law enforcement personnel.

The District safety plan shall specify actions to be taken, including specific staff responsibilities, when an individual is causing a disruption. School staff shall be trained to recognize when an individual has committed acts that constitute a disruption in violation of Board policy.

*(cf. 0450 - Comprehensive Safety Plan)*

**Legal Reference:**

**EDUCATION CODE**

32210 Willful disturbance of public school or meeting: misdemeanor

32211 Threatened disruption or interference with classes; misdemeanor

35160 Authority of governing boards

44810 Willful interference with classroom conduct

44811 Disruption of classwork or extracurricular activities

51512 Prohibited use of electronic listening or recording device

**PENAL CODE**

243.5 Assault or battery on school property

415.5 Disturbance of peace of school

626 Definitions

626.4 Notice of withdrawal or consent; report; action on report; reinstatement of consent; hearing; unlawful entry upon campus or facility; punishment

626.7 Failure to leave campus or facility; wrongful return; penalties; notice; exceptions

626.8 Disruptive presence at schools

626.85 Drug offenders; presence on school grounds

626.9-626.10 Gun Free School Zone Act

627-627.10 Access to school premises

653g Loitering about schools or public places

**COURT DECISIONS**

In Re Jimmy A., (1989) 209 Cal. 3d 42

In Re Oscar R., (1984) 161 Cal. App. 3d 770

6/96

**Policy Adopted:** date unknown

**Policy Amended:** 9/9/03

**Business and Noninstructional Operations**

**Disruptions**

The principal, designee or school security officer may direct an individual to leave school grounds if he/she has a reasonable basis for concluding that the person is committing an act that is likely to interfere with the peaceful conduct of school activities or that the person has entered the campus with the purpose of committing such an act. This shall not apply to students, Governing Board members or employees of the school, or others required by their employment to be on school grounds. (Penal Code 626.7)

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

When an individual is directed to leave under such circumstances, the principal or designee shall inform the person that he/she will be guilty of a misdemeanor subject to a fine and/or imprisonment if he/she reenters any district facility within 30 days after being directed to leave, or within seven days if the person is a parent/guardian of a student attending that school. (Penal Code 626.7)

If an individual refuses to leave upon request or returns before the applicable period of time, the principal or designee shall notify law enforcement.

The principal or designee may direct any specified sex offender or drug offender to leave school grounds. This does not apply to a student, parent/guardian of a student attending that school or an individual who has obtained prior written permission for entry from the principal or designee. Upon directing the individual to leave, the principal or designee shall inform the person that he/she will be guilty of a crime if he/she reenters the schools within seven days or otherwise establishes a pattern of unauthorized entry. (Penal Code 626.8, 626.85)

Possession of unauthorized dangerous instruments, weapons or devices is prohibited on school premises, on any public right-of-way immediately adjacent to school property, or any other place where a teacher and student(s) are required to be for assigned school activities. (Penal Code 626.9, 626.10)

Appeal Procedure

Any person who is asked to leave a public school building or grounds may appeal to the Superintendent or designee. This appeal shall be made no later than the second school day after the person has departed from the school building or grounds. The Superintendent or designee shall render his/her decision within 24 hours after the appeal is made, and this decision shall be binding. (Education Code 32211)

The decision of the Superintendent or designee may be appealed to the Governing Board. Such an appeal shall be made no later than the second school day after the Superintendent or designee has rendered his/her decision. The Board shall consider and decide the appeal at its next scheduled regular or adjourned regular public meeting. The Board's decision shall be final. (Education Code 32211)

6/96

**Policy Adopted:** date unknown

**Policy Amended:** 9/9/03

**Business and Noninstructional Operations**

**Recovery For Property Loss Or Damage**

The Governing Board shall seek reimbursement of damages and rewards from any individual or from the custodial parent/guardian of any minor who commits any act of theft or vandalism.

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

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

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

*(cf. 5131.5 - Vandalism, Theft and Graffiti)*

*(cf. 5136 - Gangs)*

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

**Rewards**

If law enforcement officials are unable to fix responsibility for the theft or vandalism, the Superintendent or designee is authorized to offer a reward in any amount he/she deems appropriate, not exceeding \$2,500, for information leading to the identification and apprehension of the guilty party. A reward in excess of \$2,500 must be authorized in advance by the Board.

A reward shall be paid only when the guilt of the person responsible for the crime has been established by a criminal conviction or other appropriate judicial procedures.

**Legal Reference:**

**EDUCATION CODE**

19910 Libraries, malicious cutting, tearing, defacing, breaking or injuring

19911 Libraries, willful detention of property

44810 Willful interference with classroom conduct

48904 Liability of parent or guardian for willful misconduct; withholding of grades, diplomas and transcripts

**CIVIL CODE**

1714.1 Liability of parent or guardian for act of willful misconduct by a minor

**GOVERNMENT CODE**

53069.5 Reward for information concerning person causing death, injury, or property damage; liability for reward

53069.6 Actions to recover damages

54951 Local agency, definition

61601.1 Graffiti abatement district

**PENAL CODE**

484 Theft defined

594 Vandalism

640.5 Graffiti; facilities or vehicles of governmental entity

640.6 Graffiti

(12/92 2/95) 10/97

**Policy Adopted:** date unknown

**Policy Amended:** 9/9/03



**Business and Noninstructional Operations**

**Recovery For Property Loss Or Damage**

Reports

District employees shall report all damage or loss of school property to the principal or designee immediately after such damage or loss is discovered. In those instances in which insurance reimbursement may be involved, the principal or designee shall contact the appropriate district official.

*(cf. 3530 - Risk Management/Insurance)*  
*(cf. 5131.5 - Vandalism, Theft and Graffiti)*

Investigation

The Superintendent or designee shall ensure that a complete investigation is conducted at the site where the vandalism occurred.

The principal or designee shall conduct a complete investigation of any instance of damage or loss of school property. The investigation shall be carried out in cooperation with law enforcement officials when appropriate.

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

Recovery of Damages

When the person causing the damage or loss has been identified and the costs of repair, replacement or cleanup determined, the Superintendent or designee shall take all practical and reasonable steps to recover these costs, including consulting district's legal counsel if necessary. Reasonable steps may include the filing of a civil complaint in a court of competent jurisdiction to recover damages from the responsible person.

If the responsible person is a minor, recovery may be sought from the minor's custodial parent/guardian in accordance with Education Code 48904.

Damages may include the cost of repair or replacement of the property, the payment of any reward, interest, court costs and all other damages as provided by law.

Payment of Reward

When authorized according to Governing Board policy, the reward shall be paid to the party who provides information sufficient to identify and apprehend the person or persons subsequently found responsible for the damage or loss. If more than one informant provides information, the reward shall be divided among the informants. The Superintendent or designee shall determine who is entitled to what portion of the reward. The identity of the informant shall be considered confidential and shall not be made public by the district.

(12/91) 10/97

**Policy Adopted:** date unknown

**Policy Amended:** 9/9/03

**Business and Noninstructional Operations**

**Sex Offender Notification**

In order to protect students while they are traveling to and from school, attending school or at a school-related activity, the Governing Board believes it is important that the district respond appropriately when a law enforcement agency contacts the district about registered sex offenders who may reside or work within district boundaries.

The Superintendent or designee shall establish an ongoing relationship with law enforcement officials to coordinate the receipt and dissemination of such information. To the extent authorized by law, the Superintendent or designee also shall establish procedures for notifying appropriate staff as necessary.

The district and its employees shall be immune from liability for the good faith dissemination of sex offender information provided by a law enforcement agency or an employee of a law enforcement agency, so long as the dissemination is in the manner and to the extent authorized by the law enforcement agency. (Penal Code 290)

\*\*\*Note: Pursuant to Penal Code 290.4, as amended by AB 1745 (Ch. 929, Statutes of 1998), local law enforcement agencies will receive an updated CD-ROM containing sex offender information from the Department of Justice on a monthly basis. In addition Assembly Concurrent Resolution 72 (Resolution Ch. 122, 1998) strongly encourages districts to include in the annual notification to parents/guardians information regarding the availability of the CD-ROM and the recommendation that parents utilize the CD. The following sentence is optional and may be revised to reflect district practice.\*\*\*

The Superintendent or designee shall annually notify parents/guardians of the availability of the CD-ROM regarding registered sex offenders and recommend that they utilize the information contained on the disk.

*(cf. 0450 - Comprehensive Safety Plan)*

*(cf. 1240 - Volunteer Assistance)*

*(cf. 1250 - Visitors/Outsiders)*

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

*(cf. 3515 - Campus Security)*

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

*(cf. 5142 - Safety)*

**Legal Reference:**

**EDUCATION CODE**

32211 Threatened disruption or interference with classes; offense

35160 Authority of boards

35160.1 Board authority of school districts

**PENAL CODE**

290 Registration of sex offenders

290.4 Sex offender registration; compilation of information; 900 number

626.8 Disruptive entry or entry of sex offender upon school grounds

**UNITED STATES CODE, TITLE 42**

14071 Jacob Wetterling Crimes Against Children and Sexually Violent Offender  
Registration Program Act

**ATTORNEY GENERAL OPINIONS**

82 Ops.Cal.Atty.Gen. 20 (1999)

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**Management Resources:**

WEB SITES

California Department of Justice: <http://www.caag.state.ca.us>

(6/97 2/98) 2/99

**Policy Adopted:** 9/9/03

**Policy Amended:**

**Students**

**Health Care And Emergencies**

The Governing Board recognizes the importance of taking appropriate action whenever an emergency threatens the safety, health or welfare of a student at school or during school-sponsored activities. The Superintendent or designee shall ask parents/guardians to provide emergency information in order to facilitate immediate contact with parents/guardians if an accident or illness occurs.

*(cf. 5141.1 - Accidents)*

**Resuscitation Orders**

The Board believes that staff members should not be placed in the position of determining whether or not to follow any parental or medical "do not resuscitate" orders. Staff shall not accept or follow any such orders unless they have been informed by the Superintendent or designee that the request to accept such an order has been submitted to the Superintendent or designee, signed by the parent/guardian, and supported by a written statement from the student's physician and an order from an appropriate court.

The Superintendent or designee shall ensure that all parents/guardians are informed of this policy.

**Legal Reference:**

EDUCATION CODE

49407 Liability for treatment

49408 Information for use in emergencies

FAMILY CODE

6550-6552 Caregivers

(6/96)

**Policy Adopted:** 4/6/04

**Policy Amended:**

**Students**

**Health Care and Emergencies**

Emergency Information

Parents/guardians shall furnish the schools with the current information specified below:

1. Home address and telephone number
2. Parent/guardian's business address and telephone number
3. Name, address and telephone number of a relative or friend who is authorized by the parent/guardian to care for the student in cases of emergency when the parent/guardian cannot be reached
4. Local physician to call in case of emergency

Under Education Code 49407, no school district shall be held liable for the reasonable treatment of a student without the consent of the parent/guardian when the student requires medical treatment and the parent/guardian cannot be reached, unless a written objection to medical treatment has been filed with the school district.

Consent by Caregiver

Persons 18 years of age and older who file with the district a completed caregiver's authorization affidavit shall have the right to consent to or refuse school-related medical care for a district student. The caregiver's authorization shall be valid for one year after the date on which it is executed. The caregiver's decision shall be superseded by any contravening decision of the parent or other person having legal custody of the student, provided that this contravening decision does not jeopardize the student's life, health or safety. (Family Code 6550)

School-related medical care is medical care that is required by state or local governmental authority as a condition for school enrollment, including immunizations, physical examinations, and medical examinations conducted in schools for students. (Family Code 6550)

*(cf. 5111.11 - Residency of Students with Caregiver)*

2/95

**Policy Adopted:** 4/6/04

**Policy Amended:**

**Students**

**Accidents**

Although the district makes every reasonable effort to prevent student accidents and injuries, accidents occur. The Superintendent or designee shall develop procedures to ensure that first aid and/or medical attention is provided as quickly as possible and that parents/guardians are notified of accidents.

Universal precautions shall be observed whenever it is possible that students, employees or others may have contact with blood or body fluids as a result of the accident.

*(cf. 4119.43 - Universal Precautions)*

Mouthpieces, resuscitation bags or other ventilation devices shall be available at each school and during athletic competitions in the event that resuscitation is necessary.

*(cf. 6145.2 - Athletic Competition)*

District staff shall appropriately report and document student accidents.

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

*(cf. 4119.42 - Exposure Control Plan for Bloodborne Pathogens)*

*(cf. 5142 - Safety)*

*(cf. 5143 - Insurance)*

**Legal Reference:**

EDUCATION CODE

32040-32044 First aid equipment

49300-49307 School safety patrols

49408 Emergency information

49409 Athletic events; emergency medical care; physicians and surgeons; immunity

49470 Medical and hospital services for athletic program

49471 Medical and hospital services not provided or available

49472 Medical and hospital services for pupils

49474 Ambulance services

51202 Instruction in personal and public health and safety

CODE OF REGULATIONS, TITLE 8

5193 California Bloodborne Pathogens Standard

(5/85 9/88) 3/93

**Policy Adopted:** 4/6/04

**Policy Amended:**

# **Manchester Union Elementary School District**

**BP 5131.4**

## **Students**

### Campus Disturbances

The Governing Board recognizes that all school staff must be prepared to cope with campus disturbances and to minimize the risks they entail. Staff should be especially sensitive to conditions that foster racial conflict, student protests, or gang intimidation and confrontations.

The Superintendent or designee shall establish at each school a disturbance response plan for curbing disruptions which create disorder and may lead to riots, violence or vandalism at school or school-sponsored events.

The Superintendent or designee shall consult with law enforcement authorities to plan for police support during school disruptions. Each school's disturbance response plan shall address the role of law enforcement. When a disturbance directly threatens students or staff, the Superintendent or designee has the authority to call in law enforcement personnel for assistance and may dismiss school.

Students who participate in disturbances may be subject to disciplinary action.

(cf. 3515 - Campus Security)

(cf. 5136 - Gangs)

(cf. 5144 - Discipline)

### **Legal Reference:**

#### **EDUCATION CODE**

- 32210 Willful disturbance of public school or meeting
- 32211 Threatened disruption or interference with classes
- 35294-35294.5 School safety plans
- 38000-38005 Security patrols
- 44810 Willful interference with classroom conduct
- 44811 Disruption of classwork or school activities
- 48907 Student exercise of free expression

#### **PENAL CODE**

- 403-420 Crimes against the public peace, especially:
  - 415 Fighting; noise; offensive words
  - 415.5 Disturbance of peace of school
  - 416 Assembly to disturb peace; refusal to disperse
- 626-626.10 Crimes on school grounds
- 627-627.7 Access to school premises

### **Management Resources**

#### **CDE PROGRAM ADVISORIES**

- 0316.89 Contingency Plan for School Campus Emergencies

6/90

**Policy Adopted**

9/9/03

**Policy Amended**

## STUDENT SUSPENSION/EXPULSION POLICY

### **I. SUSPENSION FROM SCHOOL**

#### **A. Suspension: Definitions (Education Code Section 48925)**

1. Suspension from school means removal of a pupil from ongoing instruction for adjustment purposes.
2. Day means a calendar day unless otherwise specifically provided.
3. Schoolday means a day upon which the schools of the district are in session or weekdays during the summer recess.
4. Pupil includes a pupil's parent or guardian or legal counsel.
5. Pupil with Previously Identified Exceptional Needs means a pupil who meets the requirements of Education Code Section 56026 and who, at the time the alleged misconduct occurred, was enrolled in a special education program.
6. Principal's Designee means one or more administrators at a school site specifically designated by the principal, in writing, to assist with disciplinary procedures.

In the event there is not an administrator besides the principal at a school site, the principal may specifically designate, in writing, a certificated employee at the school site to assist with disciplinary procedures. Only one such certificated employee at a time may be designated as the principal's primary designee for the school year.

An additional certificated person may be designated by the principal, in writing, to assist with disciplinary procedures when both the principal and principal's primary designee are absent from the school site. The name of the additional person and the person(s) designated as "principal's designee", shall be on file in the principal's office. (Education Code Section 48911(h))

7. Habitual means a frequent repetition.



2. Instead of disciplinary action prescribed by this policy, the principal of a school, the principal's designee, the superintendent, or the governing board may require a pupil to perform community service on school grounds during nonschool hours. For purposes of this sub-section "community service" may include, but is not limited to, work performed on school grounds in the areas of outdoor beautification, campus betterment, and teacher or peer assistance programs. This sub-section does not apply if suspension or expulsion is required by this Policy or the Education Code.

**E. Suspension: Procedures**

1. Suspension by Teacher (Education Code Section 48910)
  - a. A teacher may suspend any pupil from his/her class, for any of the acts enumerated in Education Code Section 48900 (see paragraph I.C.2) for the day of the suspension and the day following.
  - b. The teacher shall immediately report the suspension to the principal of the school and send the pupil to the principal or designee for appropriate action.
  - c. As soon as possible, the teacher shall telephone or write to the parent or guardian of the pupil asking them to attend a parent/teacher conference regarding the suspension. Whenever practicable, a school counselor or a school psychologist shall attend the conference. A school administrator shall attend the conference if the teacher or the parent or guardian so requests.
  - d. The pupil shall not be returned to the class from which he/she was suspended, during the period of the suspension, without the concurrence of the teacher and the principal.
  - e. A pupil suspended from a class shall not be placed in another regular class during the period of suspension. However, if the pupil is assigned to more than one class per day, this paragraph shall apply only to other regular classes scheduled at the same time as the class from which the pupil was suspended.
  - f. A teacher may also refer a pupil, for any of the acts enumerated in Education Code Sections 48900, 48900.2, 48900.3, 48900.4 and 48901.5 (see paragraph I.C.2), to the principal for consideration of a suspension from the school.
  - g. A teacher may require the parent or guardian of a pupil suspended by the teacher for violating sub-section (i) or (k) of Education Code

**B. Suspension: Authority to Suspend**

Suspension shall be imposed only when other means of correction fail to bring about proper conduct. However, a pupil, including a pupil with previously identified exceptional needs, may be suspended from the school for not more than five consecutive school days for any of the reasons in Education Code Section 48900 upon a first offense, if the principal or superintendent determines the pupil has committed any of the acts enumerated in Education Code Section 48900 (a)-(e) (see paragraph I.C.2 (a)-(e)) or that the pupil's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code Section 48900.5)

**C. Suspension: Grounds for Suspension or Expulsion (Education Code Sections 48900, 48900.2, 48900.3, 48900.4, 48901.5)**

1. A pupil may be suspended for any of the acts listed in Education Code Section 48900, Education Code Section 48900.2, 48900.3, 48900.4 or Education Code Section 48901.5 (see paragraph I.C.2) if the act is related to school activity or school attendance occurring within a school under the jurisdiction of the superintendent or the principal or occurring within any other school district(s), including but not limited to the following circumstances:
  - a. While on school grounds.
  - b. While going to or coming from school.
  - c. During the lunch period, whether on or off the school campus.
  - d. During, or going to or coming from, a school-sponsored/school-related activity.
2. A pupil may not be suspended or recommended for expulsion unless the superintendent or the principal of the school in which the student is enrolled determines that the pupil has:
  - a. Caused, attempted to cause, or threatened to cause physical injury to another person.
  - b. 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 pupil had obtained written permission from a certificated school employee, which is concurred in by the principal or the principal's designee.
  - c. Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, any controlled substance listed in Chapter 2

(commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.

- d. Unlawfully offered or arranged or negotiated to sell any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and then either sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.
- e. Committed or attempted to commit robbery or extortion.
- f. Caused or attempted to cause damage to school property or private property.
- g. Stolen or attempted to steal school property or private property.
- h. Possessed or used tobacco, or any products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clover cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this does not prohibit use or possession by a pupil of his or her own prescription products.
- i. Committed an obscene act or engaged in habitual profanity or vulgarity.
- j. 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.
- k. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.
- l. Knowingly received stolen school property or private property.
- m. Possessed an imitation firearm. As used in this section, "imitation firearm" means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.

- n. Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.
- o. Harassed, threatened, or intimidated a pupil who is a complaining witness or witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.
- p. Possessed or used any electronic signaling device, including, but not limited to, paging and signaling equipment while on campus, while attending any school-sponsored activity, or while under the supervision and control of any district employee, without the prior consent of the principal or the principal's designee. (Education Code Section 48901.5)
- q. Committed sexual harassment as defined in Education Code Section 212.5. This conduct must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This sub-section shall not apply to pupils enrolled in kindergarten and grades 1 to 3, inclusive. (Education Code Section 48900.2)
- r. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in subdivision (e) of Education Code Section 33032.5. This sub-section applies to pupils enrolled in any of grades 4 to 12, inclusive. (Education Code Section 48900.3)
- s. Intentionally engaged in harassment, threats, or intimidation, directed against a pupil or group of pupils, 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 that pupil or group of pupils by creating an intimidating or hostile education environment. This sub-section applies to pupils enrolled in any of grades 4 to 12, inclusive. (Education Code Section 48900.4)

**D. Alternatives to Suspension**

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

Section 48900 (see paragraph I.C.2.i. and k.) attend a portion of a schoolday in his or her child's or ward's classroom in accordance with Board Policy No. \_\_\_\_\_. (Education Code Section 48900.1)

2. Suspension by Superintendent, Principal or Principal's Designee  
(Education Code Section 48911)

- a. The principal of the school, the principal's designee, or the superintendent may suspend a pupil from the school for any of the acts enumerated in Education Code Sections 48900, 48900.2, 48900.3, 48900.4 and 48901.5 (see paragraph I.C.2), and pursuant to Education Code Section 48900.5 (see paragraph I.B.), for not more than five consecutive school days.
- b. Pre-suspension Conference

Suspension shall be preceded by an informal conference conducted by the principal or his designee or the superintendent between the pupil, and whenever practicable, the teacher or supervisor or school employee who referred the pupil to the principal or his designee or the superintendent. At the conference, the pupil 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 Section 48911(b))

Exception: Emergency Situation

This pre-suspension conference may be omitted only if the principal or principal's designee or superintendent determines that an emergency situation exists. "Emergency situation" means a situation determined by the principal, the principal's designee, or the superintendent to constitute a clear and present danger to the lives, safety or health of pupils or school personnel. If the pre-suspension conference is not held, both the parent/guardian and pupil shall be notified of the pupil's right to return to school for the purpose of a conference. The conference shall be held within two school days, unless the pupil waives his/her right to it, or is physically unable to attend for any reason; in such case the conference shall then be held as soon as the pupil is physically able to return to school. (Education Code Section 48911(c))

c. Notice to Parents

- (1) At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian in person or by telephone.
- (2) A notice of the suspension shall be mailed to the parent/guardian of the suspended pupil. The notice shall be in the primary language of the parent/guardian insofar as is practicable. The notice shall include the following:
  - (a) A statement of the facts leading to the decision to suspend.
  - (b) The date and time when the pupil will be allowed to return to school.
  - (c) A statement of the right of the pupil or parent/guardian to request a meeting with the superintendent or superintendent's designee pursuant to policy Section I(D)(3)(e).
  - (d) A statement of the parent/guardian's or the pupil's right to have access to the pupil's record as provided by Education Code Section 49069.
  - (e) A request that the parent/guardian attend the informal conference with school officials regarding the pupil's behavior, including notice that state law requires parent/guardian to respond to such request without delay.
- (3) While the parent/guardian is required to respond without delay to a request for a conference regarding his/her child's behavior, no penalties may be imposed on the pupil for the failure of the parent/guardian to attend such conference, nor may the readmission of the pupil be contingent on the attendance by the pupil's parent/guardian at such conference. (Education Code Section 48911(f))
- (4) A school employee shall report the suspension of the pupil, including the cause therefor, to the district superintendent. (Education Code Section 48911(e))

(5) Notice to Parents Upon Release of Minor Pupil to Peace Officer

When a principal or other school official releases a pupil to a peace officer in order to remove the minor from the school premises, with the exception of cases involving suspected child abuse, the school official shall take immediate steps to notify the parent/guardian or responsible relative of the pupil that the pupil has been released to the officer, and the place to which the pupil is reportedly being taken. In cases involving suspected child abuse, the school official shall provide the peace officer with the address and telephone number of the pupil's parent or guardian. (Education Code Section 48906)

d. Notice to Law Enforcement Authorities

The principal of a school or the principal's designee shall, prior to the suspension or expulsion of any pupil, notify the appropriate law enforcement authorities of the county or city in which the school is situated, of any acts of the pupil which may violate Section 245 of the Penal Code, relating to assault with a deadly weapon or force likely to produce great bodily harm. (Education Code Section 48902(a))

The principal of a school or the principal's designee shall within one schoolday of the suspension or expulsion of any pupil by telephone or other appropriate method chosen by the school, notify the appropriate law enforcement authorities of the county or city in which the school is situated, of any acts of the pupil which may violate subdivision (c) or (d) of Education Code Section 48900 (see paragraphs I.C.2.c. and d. and II.C.3.c. and d.) (Education Code Section 48902(b))

The principal or the principal's designee shall notify the appropriate law enforcement authorities of the county or city in which the school is located of any acts of the student which may involve the possession or sale of a controlled substance or a violation of Section 626.9 or 626.10 of the Penal Code relating to bringing or possessing on school grounds a firearm, a knife having a fixed blade longer than 2-1/2 inches, folding knife with a blade that locks into place, a razor with an unguarded blade, a taser, a stun gun or any instrument that expels a metallic projectile such as a BB or pellet, through the force of air pressure, CO<sub>2</sub> pressure, or spring action, or any spot marker gun. (Education Code Section 48902(c))

e. Meeting with Superintendent or Superintendent's Designee  
(Education Code Section 48914)

If suspension is ordered by a principal or a principal's designee, the pupil or the pupil's parent/guardian shall have the right to request a meeting with the superintendent or superintendent's designee to discuss the causes, the duration, the school policy involved and other matters pertinent to the suspension.

If, after the meeting, the superintendent or superintendent's designee determines that no violation occurred, all records and documentation regarding disciplinary proceedings and suspension shall be destroyed immediately, and no information regarding the meeting shall be placed in the pupil's permanent record file or communicated to any person not directly involved in the disciplinary proceedings. If the determination is that the penalty imposed was inappropriate for the violation, the records and documentation concerning the suspension shall be revised to indicate only the facts leading to any other disciplinary action imposed by the superintendent or the superintendent's designee.  
(Education Code Section 48914)

3. Suspension by Governing Board (Education Code Section 48912)

a. The governing board may suspend a pupil from school for any of the acts listed under Education Code Sections 48900, 48900.2 and 48901.5 (see paragraph I.C.2) for any number of school days not to exceed twenty school days in any school year, unless for purposes of adjustment a pupil enrolls in or is transferred to another regular school, an opportunity school or class, or continuation education school or class, in which case suspension shall not exceed thirty school days in any school year. (Education Code Section 48912(a))

b. Hearing By Governing Board/Closed Session

(1) If the governing board is considering a suspension, disciplinary action, or any other action, except expulsion, against any pupil, it shall hold closed sessions if a public hearing would lead to disclosure of information which would violate a pupil's right to privacy under Education Code Section 49073 et. seq. The pupil may request, however, a public meeting and the request shall be granted if made in writing and served upon the clerk or secretary of the governing board within 48 hours after receipt of the board's notice of closed session, except any discussion at the meeting that may be in conflict with any other pupil's right



to privacy, shall be in closed session. (Education Code Section 48912(b)-(c))

(2) Board Notice of Closed Session

Before calling a closed session to consider suspension of, disciplinary action against, or any other action against a pupil except expulsion, the governing board shall, in writing, by registered or certified mail or by personal service, notify the pupil and the pupil's parent or guardian of the intent of the governing board to call and hold a closed session. (Education Code Section 48912(c))

F. Suspension: Limitations on Suspensions

1. A pupil may be suspended for no more than five consecutive school days for any of the reasons enumerated above under grounds for suspension, unless the pupil is suspended by the governing board which may suspend for any number of consecutive school days not to exceed twenty school days in a school year, unless for purposes of adjustment a pupil enrolls in or is transferred to another regular school, an opportunity school or class, or continuation education school or class, in which case suspension by the governing board shall not exceed thirty consecutive school days in any school year. (Education Code Sections 48911(a) and 48912(a))
2. A pupil shall be suspended for no more than twenty school days in a school year, unless for purpose of adjustment a pupil is enrolled or transferred to another regular school, an opportunity school or class, or a continuation education school or class, in which case suspension shall not exceed thirty school days of suspension in one school year. (Education Code Section 48903)
3. Notwithstanding paragraphs I.E.1. and 2. above, if an expulsion of the suspended student is being processed by the governing board, the suspension may be extended by the superintendent, or a person designated by the superintendent, in writing, until such time as the governing board has rendered a decision. (Education Code Section(48911(g))

Before acting to extend the suspension, the superintendent or superintendent's designee shall notify the pupil and the pupil's parent/guardian of the proposed extension with an offer to hold a conference concerning the extension to give the pupil and the pupil's parent/guardian an opportunity to be heard on the extension. Following the meeting in which the pupil and the pupil's parent/guardian are invited to participate, the superintendent may extend the suspension only upon first determining that the presence of the pupil 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.

If the pupil or the pupil's parent/guardian requested a meeting to challenge the original suspension by a principal or principal's designee pursuant to paragraph I.D.2.e., that meeting may be held to decide both the merits of the suspension and the extension of the suspension order under this paragraph I.E.3. (Education Code Section 48911(g))

4. Notwithstanding subdivisions 1 and 3, an individual with exceptional needs may be suspended for up to, but not more than, ten (10) consecutive schooldays if he or she poses an immediate threat to the safety of himself or herself or others. In the case of a truly dangerous child, a suspension may exceed ten (10) consecutive schooldays, or the pupil's placement may be changed, or both, if either of the following occurs:
  - a. The pupil's parent or guardian agrees.
  - b. A court order so provides.

(Education Code Section 48911(h))

**G. Suspension: Supervised Suspension Classroom**

1. A pupil suspended from a school for any of the reasons enumerated in Paragraph I.C. of this Policy may be assigned, by the principal or the principal's designee, to a supervised suspension classroom for the entire period of suspension if the pupil poses no imminent danger or threat to the campus, pupils or staff, or if an action to expel the pupil has not been initiated.
2. Pupils assigned to a supervised classroom shall be separated from other pupils at the school site for the period of suspension in a separate classroom, building, or site for pupils under suspension.
3. Each pupil in the supervised suspension classroom is responsible for contacting his or her teacher or teachers to receive assignments to be completed while the pupil is assigned to the classroom. The teacher shall provide all assignments and tests that the pupil will miss while suspended. If no classroom work is assigned, the person supervising the suspension classroom shall assign schoolwork.
4. At the time a pupil is assigned to a supervised suspension classroom, a school employee shall notify, in person or by telephone, the pupil's parent or guardian. Whenever a pupil is assigned to a supervised suspension classroom for longer

than one class period, a school employee shall notify the pupil's parent or guardian in writing.

(Education Code Section 48911.1)

## II. EXPULSION

### A. Expulsion: Definitions (Education Code Section 48925(b))

Expulsion means removal of a pupil from the immediate supervision and control, or the general supervision, of school personnel, as those terms are used in Education Code Section 46300.

Firearm means any device, designed to be used as a weapon, from which is expelled through a barrel a projectile by the force of any explosion or other form of combustion. (Penal Code Section 12001)

Knife means any dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing, a weapon with a blade fitted primarily for stabbing, a weapon with a blade longer than 3 1/2 inches, a folding knife with a blade that locks into place, or a razor with an unguarded blade.

Assault is an unlawful attempt, coupled with a present ability, to commit a violent injury on the person of another (Penal Code Section 240).

Battery is any willful and unlawful use of force or violence upon the person of another (Penal Code Section 242).

### B. Expulsion: Authority to Expel

A pupil may be expelled only by the governing board.

### C. Expulsion: Grounds for Expulsion

For a pupil to be expelled for any grounds enumerated in this section, the act must have been committed at school or at a school activity off school grounds as defined in section 48900:

1. Except as provided in subsections 3 and 5, the principal or the superintendent of schools shall recommend the expulsion of a pupil for any of the following acts, unless the principal or superintendent finds that expulsion is inappropriate, due to the particular circumstance:
  - a. Causing serious physical injury to another person, except in self-defense.

- b. Possession of any knife, explosive or other dangerous object of no reasonable use to the pupil at school or at a school activity off school grounds.
- c. Unlawful possession of any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, except for the first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis.
- d. Robbery or extortion.
- e. Assault or battery, as defined in Sections 240 and 242 of the Penal Code, upon any school employee.

(Education Code Section 48915(a))

2. Upon recommendation by the principal, superintendent, or hearing officer/administrative panel appointed pursuant to paragraph II.F., the governing board may order a pupil expelled upon finding that the pupil violated Section II.C., above, or committed any of the following acts:

- a. Caused, attempted to cause, or threatened to cause physical injury to another person. [Education Code Section 48900(a)].
- b. 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 pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal. [Education Code Section 48900(b)].
- c. Unlawfully possessed, used, sold or otherwise furnished, or been under the influence of, any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind. [Education Code Section 48900(c)].
- d. Unlawfully offered, arranged or negotiated to sell any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and then either sold, delivered or otherwise furnished to any person another liquid, substance, or material and

represented the liquid, substance or material as a controlled substance, alcoholic beverage or intoxicant. [Education Code Section 48900(d)].

- e. Committed or attempted to commit robbery or extortion. [Education Code Section 48900(e)].

and one or both of the following:

- (1) that other means of correction are not feasible or have repeatedly failed to bring about proper conduct, or
- (2) that due to the nature of the act, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.

(Education Code Sections 48900(a)-(e) and 48915(b))

- 3. The principal or the superintendent of schools shall immediately suspend pursuant to Education Code Section 48911 and shall recommend to the governing board the expulsion of a pupil that he or she determines has committed any of the following act:

- a. Possessing, selling, or otherwise furnishing a firearm except with prior written permission to possess the firearm from a certificated employee, concurred in by the principal or the designee of the principal. This subdivision applies to an act of possessing a firearm only if the possession is verified by an employee of the district.
- b. Brandishing a knife at another person.
- c. Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code.
- d. Committing or attempting to commit a sexual assault as defined in subdivision (n) of Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900.

- 4. The governing board shall order a pupil expelled upon finding that the pupil committed an act listed in Section 3 (48915(c)), and shall refer that pupil to a program of study that meets all the following conditions:

- a. Is appropriately prepared to accommodate pupils who exhibit discipline problems.

- b. Is not provided at a comprehensive middle, junior or senior high school, or at any elementary school.
  - c. Is not housed at the schoolsite attended by the pupil at the time of the suspension.  
(Education Code Section 48915(c))
5. The governing board may order a pupil expelled upon recommendation by the principal, superintendent, hearing officer/administrative panel appointed pursuant to paragraph II.F., and upon finding that the pupil violated any of the following:
- a. Caused or attempted to cause damage to school property or private property. [Education Code Section 48900(f)].
  - b. Stolen or attempted to steal school property or private property. [Education Code Section 48900(g)].
  - c. Possessed or used tobacco, or any products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clover cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this does not prohibit use or possession by a pupil of his or her own prescription products. [Education Code 48900(h)].
  - d. Committed an obscene act or engaged in habitual profanity or vulgarity. [Education Code Section 48900(i)].
  - e. Had unlawful possession of 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 Section 48900(j)].
  - f. 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 Section 48900(k)].
  - g. Knowingly received stolen school property or private property. [Education Code Section 48900(l)].
  - h. Possessed an imitation firearm. As used in this section, "imitation firearm" means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm. [Education Code Section 48900(m)].

- i. Committed sexual harassment as defined in Education Code Section 212.5. This conduct must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This sub-section shall not apply to pupils enrolled in kindergarten and grades 1 to 3, inclusive. (Education Code Section 48900.2).
- j. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in subdivision (e) of Education Code Section 33032.5. This sub-section applies to pupils enrolled in any of grades 4 to 12 inclusive. (Education Code Section 48900.3)
- k. Intentionally engaged in harassment, threats, or intimidation, directed against a pupil or group of pupils, 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 that pupil or group of pupils by creating an intimidating or hostile education environment. This sub-section applies to pupils enrolled in any of grades 4 to 12, inclusive. (Education Code Section 48900.4)

and either of the following:

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

- 6. The governing board shall refer a pupil who has been expelled pursuant to subsection 2 or 5 to a program of study that meets all the conditions specified in subsection 4. However, pupils expelled pursuant to subsection 5 may be referred to a comprehensive middle, junior or senior high school, or an elementary school, if the county superintendent of schools certifies that an alternative program of study is not available at a site away from a comprehensive middle, junior or senior high school, or an elementary school.

(Education Code Sections 48900(f)-(m), 48900.2, 48900.3, 48900.4, 48915)

D. Expulsion: Pupils with Previously Identified Exceptional Needs  
(Education Code Section 48915.5)

1. Conditions for Expulsion

In a matter involving a pupil with previously identified exceptional needs who is currently enrolled in a special education program, the governing board may order a pupil expelled pursuant to Education Code Section 48915(b) and (d) (see paragraph II.C.) only if all of the following conditions are met:

- a. An individualized education program team meeting is held and conducted pursuant to Article 3 (commencing with Section 56340) of Chapter 2 of Part 30 of the Education Code.
- b. The team determines that the misconduct was not caused by, or was not a direct manifestation of, the pupil's identified disability.
- c. The team determines that the pupil had been appropriately placed at the time the misconduct occurred.

(Education Code Section 48915.5 (a))

2. Exception to Parental Consent

All applicable procedural safeguards prescribed by federal and state laws and regulations apply to proceedings to expel pupils with previously identified exceptional needs, except that notwithstanding Section 56321, subdivision (e) of 56506, or any other provision of law, parental consent is not required prior to conducting a preexpulsion educational assessment pursuant to subdivision 4 or as a condition of the final decision of the local board to expel. (Education Code Section 48915.5(b))

3. Notice to Parents

The parent of each pupil with previously identified exceptional needs has the right to participate in the individualized education program team meeting conducted pursuant to paragraph II.D.1 following the completion of a preexpulsion assessment pursuant to subdivision 4 through actual participation, representation, or a telephone conference call. The meeting shall be held at a time and place mutually convenient to the parent and the school district within the period, if any, of the pupil's preexpulsion suspension. A telephone conference call may be substituted for the meeting. Each parent shall be notified of his or her right to participate in the meeting at least 48 hours prior to the meeting. Unless a parent has requested a postponement, the meeting may be conducted without the parent's participation, if the notice required by this



paragraph has been provided. The notice shall specify that the meeting may be held without the parent's participation, unless the parent requests a postponement for up to three additional schooldays pursuant to this subdivision. Each parent may request that the meeting be postponed for up to three additional school days. In the event that a postponement has been granted, the school district may extend any suspension of a pupil for the period of postponement if the pupil continues to pose an immediate threat to the safety of himself, herself, or others and the local educational agency notifies that the suspension will be continued during the postponement. However, the suspension shall not be extended beyond ten (10) consecutive schooldays unless agreed to by the parent or by a court order. If a parent who has received proper notice of the meeting refuses to consent to an extension beyond 10 consecutive schooldays and chooses not to participate, the meeting may be conducted without the parent's participation. (Education Code Section 48915.5(d))

4. Decision Based on Preexpulsion Educational Assessment

In determining whether a pupil should be expelled, the individualized education program team shall base its decision on the results of a preexpulsion educational assessment conducted in accordance with the guidelines of Section 104.35 of Title 34 of the Code of Federal Regulations, which shall include a review of appropriateness of the pupil's placement at the time of the alleged misconduct, and a determination of the relationship, if any, between the pupil's behavior and his or her disability.

In addition to the preexpulsion educational assessment results, the individualized education program team shall also review and consider the pupil's health records and school discipline records. The parent, pursuant to Section 300.504 of Title 34 of the Code of Federal Regulations, is entitled to written notice of the local educational agency's intent to conduct a preexpulsion assessment. The parent shall make the pupil available for the assessment at a site designated by the local educational agency without delay. The parent's right to an independent assessment under Education Code Section 56329 applies despite the fact that the pupil has been referred for expulsion. (Education Code Section 48915.5(e))

5. Decision of IEP Team

If the individualized education program team determines that the alleged misconduct was not caused by, or a direct manifestation of, the pupil's disability, and if it is determined that the pupil was appropriately placed, the pupil shall be subject to the applicable disciplinary actions and procedures prescribed under this Student Suspension/Expulsion Policy. (Education Code Section 48915.5(f))

6. Appeal of Decision of IEP Team

The parent of each pupil with previously identified exceptional needs has the right to a due process hearing conducted pursuant to Section 1415 of Title 20 of the United States Code if the parent disagrees with the decision of the individualized education program team made pursuant to paragraph II.D.5, or if the parent disagrees with the decision to rely upon information obtained, or proposed to be obtained, pursuant to paragraph II.D.4. (Education Code Section 48915.5(g))

7. Extension of Timelines Pending Appeal

No hearing shall be conducted for an individual with exceptional needs until all of the following have occurred:

- a. A preexpulsion assessment is conducted.
- b. The individualized education program team meets pursuant to subdivision (a).
- c. Due process hearings and appeals, if initiated pursuant to Section 1415 of Title 20 of the United States Code, are completed.

Pursuant to subdivision (a) of Education Code Section 48918, (see paragraph II.E.2.c.) the statutory times prescribed for expulsion proceedings for individuals with exceptional needs shall commence after the completion of paragraphs a., b., and c., above. (Education Code Section 48915.5(i))

8. Transportation

If an individual with exceptional needs is excluded from schoolbus transportation, the pupil is entitled to be provided with an alternative form of transportation at no cost to the pupil or parent. (Education Code Section 48915.5(j))

9. Exceptions

The restrictions and special procedures provided in Section 48915.5 for the expulsion of a pupil with exceptional needs shall not apply when the pupil possessed a firearm, knife, explosive, or other dangerous object of no reasonable use to the pupil, or the pupil committed or attempted to commit a sexual assault or committed sexual battery, at school or at a school activity off school grounds, unless for these acts the restrictions and special

procedures in Section 48915.5 are mandated under federal law, including Section 1415 of Title 20 of the United States Code.

**E. Expulsion: Procedures**

**1. Recommendation to Governing Board**

- a. Where the principal or superintendent recommends to the governing board the expulsion of a pupil, he will prepare a report of the case to include:
  - (1) The pupil's academic and attendance records.
  - (2) A chronological account of the development of the case and a statement of the conduct and recitation of the facts leading to the decision to recommend expulsion.
  - (3) A description of actions taken by the school to correct the pupil's previous misbehavior and the effect the corrective action has had on the pupil.
  - (4) A record of contacts with other agencies and the results of such contacts.
  - (5) A description of contacts with the parents or guardian made by school personnel, including the purpose of the contacts, apparent reaction of parents or guardians, and effect on the pupil's behavior.
  - (6) A copy of the summary of the final parent-pupil-principal conference, if any.
  - (7) A recommendation as to the time when the case should be reviewed, and the conditions, if any, which should be met before the pupil's return to school.
- b. This report may be used by the Board in determining disciplinary action should it find that the pupil committed any of the acts enumerated in Section II.C.
- c. A copy of the report shall be provided the pupil and pupil's parent/guardian.

2. Pupil's Right to Hearing

- a. An expulsion hearing shall be held within thirty schooldays after the date the principal or the superintendent of schools determines the pupil has committed any of the acts enumerated in Education Code Section 48900 et seq. (See paragraph II.C.)
- b. The pupil may request in writing a postponement of the hearing not to exceed thirty calendar days of an expulsion hearing. Any additional postponement may be granted at the discretion of the governing board. (Education Code Section 48918(a))
- c. The Superintendent or the superintendent's designee may, for good cause, extend the time period for the expulsion hearing for an additional five school days, in the event that compliance by the governing board with the time requirements is impracticable. Reasons for the extension of the time for the hearing shall be included as part of the record at the time the expulsion hearing is conducted. Once the hearing begins, it shall be conducted with reasonable diligence and concluded without unnecessary delay. (Education Code Section 48918(a))

3. Written Notice of the Hearing (Education Code Section 48918(b))

Written notice of the hearing shall be forwarded to the pupil and the pupil's parent/guardian at least ten calendar days prior to the date of the hearing. Such notice shall include:

- a. The date and place of the hearing.
- b. A statement of the specific facts and charges upon which the proposed expulsion is based.
- c. A copy of disciplinary rules of the district which relate to the alleged violation.
- d. A notice of the parent, guardian or pupil's obligation pursuant to subdivision (b) of Section 48915.1 to notify any other school district in which the pupil attempts to enroll of the pupil's suspension for an offense listed in Section 48915. (See policy II C.)
- e. The opportunity of the pupil or the pupil's parent/guardian to:
  - (1) appear in person or to employ and be represented by counsel.

- (2) inspect and obtain copies of all documents to be used at the hearing.
- (3) confront and question all witnesses who testify at the hearing.
- (4) question all evidence presented, and present oral documentary evidence on the pupil's behalf, including witnesses.

f. In a hearing in which a pupil is alleged to have committed or attempted to commit a sexual assault as specified in subdivision (n) of Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900, a complaining witness shall be given five days' notice prior to being called to testify, and shall be entitled to have up to two adult support persons, including, but not limited to, a parent, guardian, or legal counsel, present during their testimony. Prior to a complaining witness testifying, support persons shall be admonished that the hearing is confidential. Nothing in this subdivision shall preclude the person presiding over an expulsion hearing from removing a support person whom the presiding person finds is disrupting the hearing. If one or both of the support persons is also a witness, the provisions of Section 868.5 of the Penal Code shall be followed for the hearing.

#### 4. Conduct of Hearing

- a. Closed Session: Notwithstanding the provisions of Government Code Section 54953 and Education Code Section 35145, the governing board shall conduct a hearing to consider the expulsion of the pupil in a session closed to the public, unless the pupil requests in writing at least five days prior to the hearing, that the hearing be conducted at a public meeting. If such request is made of the governing board, 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 whether the pupil should be expelled. The parent/guardian of the pupil, the pupil, and the counsel of the pupil, shall be allowed to attend the closed session if the governing board admits any other person to the closed session. (Education Code Section 48918(c))
- b. Public Meeting, Rights of Complaining Witness. If the hearing is to be conducted at a public meeting, and there is a charge of committing or attempting to commit a sexual assault as defined in subdivision (n) of Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900, a complaining witness shall have the right to have his or her testimony heard in a session closed to the public when testifying at a public meeting would

threaten serious psychological harm to the complaining witness and 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 means of closed-circuit television. [Education Code Section 48918(c)].

- c. Record of Hearing: A record of the hearing shall be made. Such record 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 Section 48918(c))
- d. Failure to Make Objections: If the pupil, parent, guardian or attorney fails to object at the hearing that these rules are not being properly followed, or that any other law or requirement of due process is not being followed, the objections shall be deemed waived.
- e. Presentation of Evidence: Upon a finding that good cause exists, the governing board or hearing officer/administrative panel appointed under paragraph II.F., may determine that either the identity of a witness or the testimony of the witness at the hearing, or both may subject the witness to an unreasonable risk of psychological or physical harm. Upon this determination, the testimony of the witness may be presented at the hearing in the form of sworn declarations which shall be examined only by the governing board or the hearing officer/administrative panel appointed under paragraph II.F. Copies of these sworn declarations, which are edited to delete the name and identity of the witness, shall be made available to the pupil. (Education Code Section 48918(f))
- f. Technical Rules of Evidence Do Not Apply: Technical rules of evidence shall not apply to the hearing except that relevant evidence may be admitted and used as proof only if it is the kind of evidence which reasonable persons are accustomed to rely on in the conduct of serious affairs. Hearsay evidence may be used for the purpose of supplementing or explaining other evidence but shall not be sufficient in itself to support a finding except as provided in paragraph II.E.4.d. above or unless it would be admissible over objection in a civil action. The decision of the governing board to expel shall be based upon the substantial evidence showing that the pupil committed any of the above acts enumerated in paragraph II.C. (Education Code Section 48918(h))

g. Hearings Which Include Section 48900(n) Allegations. In hearings which include an allegation of committing or attempting to commit a sexual assault as defined in subdivision (n) of Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900, evidence of specific instances, of a complaining witness' prior sexual conduct is to be presumed inadmissible and shall not be heard absent a determination by the person conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before the person conducting the hearing makes the determination on whether extraordinary circumstances exist requiring that specific instances of a complaining witness' prior sexual conduct be heard, the complaining witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the 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 the complaining witness is not admissible for any purpose.

h. Subpoenas:

(1) Before the hearing has commenced, the governing board may issue subpoenas at the request of either the superintendent or the superintendent's designee or the pupil. Subpoenas shall only be issued for the personal appearance of percipient witnesses at the hearing. After the hearing has commenced, the governing board, hearing officer or administrative panel may issue subpoenas at the request of the superintendent, superintendent's designee or the pupil. All subpoenas shall be issued in accordance with Sections 1985, 1985.1, and 1985.2 of the Code of Civil Procedure. Enforcement of subpoenas shall be done in accordance with Section 11525 of the Government Code.

(2) Any objection raised by the superintendent or the superintendent's designee or the pupil to the issuance of subpoenas may be considered by the governing board in closed session, or in open session, if so requested by the pupil before the meeting. Any decision by the governing board in response to an objection to the issuance of subpoenas shall be final and binding.

(3) If the governing board, hearing officer, or administrative panel determines, in accordance with subdivision (f) of Section 48918, that a percipient witness would be subject to an 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 provided for in subdivision (f).

(4) Service of process shall be extended to all parts of the state and shall be served in accordance with Section 1987 of the Code of Civil Procedure. All witnesses appearing pursuant to subpoena, other than the parties or officers or employees of the state or any political subdivision thereof, shall receive fees, and all witnesses appearing pursuant to subpoena, except the parties, shall receive mileage in the same amount and under the same circumstances as prescribed for witnesses in civil actions in a superior court. Fees and mileage shall be paid by the party at whose request the witness is subpoenaed.

i. Final Action By Governing Board: Whether the pupil expulsion hearing is conducted in closed or public session, by the governing board or by a hearing officer/administrative panel appointed under paragraph II.F., the final action to expel shall be taken by the governing board at a public session. (Education Code Section 48918(i))

j. Time of Decision: The decision of the governing board, if it conducts the expulsion hearing, whether to expel a pupil shall be made within 10 schooldays following the conclusion of the hearing, unless the pupil requests in writing the decision be postponed.

If the governing board does not conduct the hearing or if the governing board does not meet on a weekly basis, the decision of the governing board whether to expel a pupil shall be made within 40 schooldays after the date of the pupil's removal from his or her school of attendance for the incident on which the expulsion is based, unless the pupil requests in writing that the decision be postponed. (Education Code 48918(a))

k. Maintenance of Records: The governing board will maintain a record of each expulsion, including the cause therefor, in the form of an ongoing log of pupil expulsions. The log shall contain the following information: the school attended by the expelled pupil, the date of the expulsion hearing, the cause for expulsion, and the date set for applying for readmission. However, the log shall not identify the expelled pupil by name. The log shall be made available to the public in the District's administration office. The expulsion order shall be maintained in the pupil's mandatory interim record and sent to any school in which the student subsequently enrolls upon a request by the admitting school for the pupil's school record. (Education Code Section 48918(j))



5. Written Notice to Expel

Written notice of the decision to expel or to suspend the enforcement of an expulsion order shall be sent to the pupil or pupil's parent/guardian by the superintendent or the superintendent's designee. Such notice shall include notice of the right to appeal such expulsion to the county board of education, a notice of the education alternative placement to be provided to the pupil during the time of expulsion and of the parent, guardian or pupil's obligation pursuant to subdivision (b) of Section 48915.1, upon the pupil's enrollment in a new school district, to inform that school district of the pupil's expulsion. The pupil and pupil's parent/guardian shall be notified at the time the expulsion order is entered of the procedure for filing and processing a request for readmission, and the process for the required review of all expelled pupils for readmission. (See paragraph II.G.2). Notwithstanding the completion of the readmission process, the governing board may deny readmission. (Education Code Sections 48916, 48918(j))

6. Special Rules and Regulations For Hearings Involving Allegations Pursuant to Section 48900(n).

- a. At the time that the expulsion hearing is recommended, the complaining witness shall be provided with a copy of the applicable disciplinary rules and advised of his or her right to: (1) receive five days' notice of the complaining witness's scheduled testimony at the hearing, (2) have up to two adult support persons of his or her choosing, present in the hearing at the time he or she testifies; and (3) to have the hearing closed during the time they testify pursuant to subdivision (c) of Section 48918.
- b. An expulsion hearing may be postponed for one schoolday in order to accommodate the special physical, mental, or emotional needs of a pupil who is the complaining witness where the allegations arise under subdivision (n) of Section 48900.
- c. The district shall provide a nonthreatening environment for a complaining witness in order to better enable them to speak freely and accurately of the experiences that are the subject of the expulsion hearing, and to prevent discouragement of complaints. The district shall provide a room separate from the hearing room for the use of the complaining witness prior to and during breaks in testimony. In 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 or she may leave the hearing room. The person conducting the hearing may arrange the seating within the hearing room of those

present in order to facilitate a less intimidating environment for the complaining witness. The person conducting the hearing may limit the time for taking the testimony of a complaining witness to the hours he or she is normally in school, if there is no good cause to take the testimony during other hours. The person conducting the hearing may permit one of the complaining witness's support persons to accompany him or her to the witness stand.

- d. Whenever any allegation is made of conduct violative of subdivision (n) of Section 48900, complaining witnesses and accused pupils are to be advised immediately to refrain from personal or telephonic contact with each other during the pendency of any expulsion process.

F. Alternative Hearing By Hearing Officer or Panel

1. In lieu of conducting an expulsion hearing itself, the governing board may contract with the county hearing officer, or with the Office of Administrative Hearings of the State of California for a hearing officer to conduct the hearing. Alternatively, the board may appoint an impartial administrative panel composed of three or more certificated personnel, none of whom shall be members of the Governing Board or employed on the staff of the school in which the pupil is enrolled. (Education Code Section 48918(d) and (f))
2. Within three school days following the hearing, the hearing officer or administrative panel shall determine whether to recommend the expulsion of the pupil to the governing board. If the hearing officer or administrative panel decides not to recommend expulsion, the expulsion proceedings shall be terminated and the pupil shall immediately be reinstated, or permitted to return to a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs. Placement in one or more of these programs shall be made by the superintendent or the superintendent's designee after consultation with school district personnel, including the pupil's teachers, and the pupil's parent or guardian. The decision not to recommend expulsion shall be final. (Education Code Section 48918(e))
3. If the hearing officer or administrative panel recommends expulsion, findings or fact in support of the recommendation shall be prepared and submitted to the governing board. All findings of facts and recommendations shall be based solely on the evidence adduced at the hearing. If the governing board accepts the recommendation calling for expulsion, acceptance shall be based either upon a review of the findings of fact and recommendations submitted by the hearing officer or panel or upon the results of any supplementary hearing conducted pursuant to paragraph II.E.4. that the governing board may order. (Education Code Section 48918(f))

4. A hearing conducted by the hearing officer or administrative panel shall be conducted in accordance with paragraph II.E.4. (Education Code Section 48918(d))

G. Expulsion: Readmission: Rehabilitation Plan (Education Code Sections 48916, 48918(e))

1. Upon the hearing officer's administrative panel's recommendation against expulsion, or following the governing board's own decision after the hearing not to expel, the pupil shall be reinstated immediately to a classroom instructional program, rehabilitation program or any combination of such programs by the superintendent or superintendent's designee after consultation with district personnel including the pupil's teacher(s) and the parent/guardian of the pupil. (Education Code Section 48918(e))
2. An expulsion order shall remain in effect until the governing board orders the readmission of the pupil. At the time the governing board orders expulsion of a pupil for an act other than those described in subdivision (c) of Section 48915 (Policy Section II C 3), the governing board shall set a date not later than the last day of the semester following the semester in which the expulsion occurred, when the pupil shall be reviewed for readmission to a school maintained by the district or to the school the pupil last attended. For pupils expelled pursuant to 48915(c) the earliest date for readmission shall be one-year from the date the expulsion occurred, except that the governing board may set an earlier readmission date on a case-by-case basis. At the time of the expulsion order the governing board shall recommend a plan for rehabilitation for the pupil, which may include, but is not limited to:
  - a. Periodic review and assessment at the time of review for readmission.
  - b. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service and/or other rehabilitation programs.
  - c. With parental/guardian consent, enrollment in a county-supported drug rehabilitation program if the offense was related to controlled substances as defined in Sections 11054 to 11058, inclusive of the Health and Safety Code, or alcohol. (Education Code Section 48916.5)
3. A written request for review of expulsion action and request for readmission shall be submitted by the parent/guardian to the superintendent or the superintendent's designee.

4. The superintendent or the superintendent's designee will hold a conference with the parent/guardian and the pupil. At the conference the conditions for readmission will be reviewed and verification obtained that the conditions have been met. School regulations will be reviewed and the pupil and the pupil's parent/guardian will be asked to indicate in writing their willingness to comply with the regulations.
5. The superintendent will transmit the request to the governing board for consideration together with the superintendent's recommendation. The governing board may consider the request in closed session, however, the consideration will be in open session if a written request for open session is received from the pupil or the pupil's parent/guardian. The governing board shall readmit the pupil, unless the governing board makes a finding that the pupil has not met the conditions of the rehabilitation plan or continues to pose a danger to campus safety or to other pupils or employees of the district.
6. If the governing board denies the readmission of an expelled pupil pursuant to paragraph 5, above, the governing board shall make a determination either to continue the placement of the pupil in the alternative educational program initially selected for the pupil, or to place the pupil in another program that may include, but need not be limited to, serving expelled pupils, including placement in county community school.
7. The superintendent will notify the pupil or the pupil's parent/guardian, by registered or certified mail, or by personal delivery, of the decision of the governing board regarding readmission of the pupil in school. If the governing board denies readmission, the written notice shall include the reasons for denying readmittance and the determination of the educational program placement made by the governing board. The expelled pupil shall enroll in that program unless the parent or guardian of the pupil elects to enroll the pupil in another school district.

**H. Expulsion: Suspension of Expulsion (Education Code Section 48917)**

1. Suspension of the Expulsion: The governing board, upon voting to expel a pupil, may suspend the enforcement of the expulsion order for not more than one calendar year. The governing board's criteria for suspending the enforcement of an expulsion order shall be applied equally to all pupils including individuals with exceptional needs.
2. Conditions of Suspension of Expulsion Order
  - a. As a condition of the suspension of the expulsion order, the governing board may assign the pupil to a school, class or program which it

deems appropriate for the pupil's rehabilitation. The rehabilitation program may provide for the involvement of the pupil's parent or guardian in his or her child's education in ways that are specified in the program. Refusal by the parent or guardian to participate in the rehabilitation program shall not be considered in the governing board's determination as to whether the pupil has satisfactorily completed the program.

- b. During this period of suspension of the expulsion order, the pupil shall be on probationary status.
  - c. The suspension of the expulsion order may be revoked by the governing board upon the pupil's commission of any of the acts enumerated in Education Code Section 48900 or 48900.2 as stated under paragraph II.C. above, or for any violation of the district's rules and regulations governing pupil conduct.
3. Revocation of Expulsion Order: Upon revocation of the suspension of an expulsion order, a pupil may be expelled under the terms of the original expulsion order.
  4. Readmission of Pupil: Upon satisfactory completion of the rehabilitation assignment of a pupil, the governing board shall reinstate the pupil in a school or the district and may order the expungement of any or all records of the expulsion proceedings.

**I. Expulsion: Right to Appeal**

The pupil or the pupil's parent/guardian is entitled to file an appeal of the decision of the governing board to the county board of education.

The appeal must be filed within thirty days following the decision of the governing board to expel, even if the expulsion order is suspended and the pupil is placed on probationary status. (Education Code Sections 48917 and 48919)

**J. Expelled Individuals. Enrollment (Education Code Section 48915.1, 48915.2)**

1. A pupil expelled from school for any of the offenses listed in subdivision (a) or (c) of Section 48915, shall not be permitted to enroll in any other school or school district during the period of expulsion unless it is a community school pursuant to subdivision (c) of Section 1981, a juvenile court school, as described in Section 48645.1, or a community day school pursuant to Section 48660 et seq. (Education Code Section 48915.2)

2. If the governing board receives a request from an individual who has been expelled from another school district for an act other than those described in subdivision (a) or (c) of Section 48915, for enrollment in a school maintained by the school district, the board shall hold a hearing to determine whether that individual poses a continuing danger either to the pupils or employees of the school district. The hearing and notice shall be conducted in accordance with the rules and regulations governing procedures for the expulsion of pupils as described in Section 48918 and this policy. The school district may request information from another school district regarding a recommendation for expulsion or the expulsion of an applicant for enrollment. The school district receiving the request shall respond to the request with all deliberate speed but shall respond no later than five working days from the date of full receipt of the request.
3. If a pupil has been expelled from his or her previous school for offenses other than those listed in subdivision (a) or (c) of Section 48915, the parent, guardian, or pupil, if the pupil is emancipated or otherwise legally of age, shall, upon enrollment, inform the school district of his or her status with the previous school district. If this information is not provided to the school district and the school district later determines the pupil was expelled from the previous school, the lack of compliance shall be recorded and discussed in the hearing required pursuant to paragraph 1, above.
4. The governing board may make a determination to deny enrollment to an individual who has been expelled from another school district for an act other than those described in subdivision (a) or (c) of Section 48915, for the remainder of the expulsion period after a determination has been made, pursuant to a hearing, that the individual poses a potential danger to either the pupils or employees of the school district.
5. The governing board of a school district, when making its determination whether to enroll an individual who has been expelled from another school district for these acts, may consider the following options:
  - (a) Deny enrollment.
  - (b) Permit enrollment.
  - (c) Permit conditional enrollment in a regular school program or another educational program.
6. Notwithstanding any other provision of law, the governing board, after a determination has been made, pursuant to a hearing, that an individual expelled from another school district for an act other than those described in subdivision (a) or (c) of Section 48915 does not pose a danger to either the pupils or

employees of the school district, shall permit the individual to enroll in a school in the school district during the term of the expulsion, provided that he or she, subsequent to the expulsion, either has established legal residence in the school district, pursuant to Section 48200, or has enrolled in the school pursuant to an interdistrict agreement executed between the affected school districts pursuant to Chapter 5 of the Education Code (commencing with Section 46600). (Education Code Section 48915.1).

7. After a determination has been made, pursuant to a hearing, that an individual expelled from another school district for any act described in subdivision (a) or (c) of Section 48915 does not pose a danger to either the pupils or employees of the school district, the governing board may permit the individual to enroll in a school in the school district after the term of the expulsion, subject to the following conditions:

- (a) He or she has established legal residence in the school district, pursuant to Section 48200.
- (b) He or she has enrolled in the school pursuant to an interdistrict agreement executed between the affected school districts pursuant to Chapter 5 of the Education Code (commencing with Section 46600).

(Education Code Section 48915.1, 48915.2)

Legal References: Education Code Sections 33032.5, 35145, 35146, 35291, 46300, 48900-48925, 49069, 56026, and 56340; Government Code Sections 54950 and 54953; Health and Safety Code (commencing with Section 11053) of Division 10, Chapter 2, and 11014.5; Penal Code Sections 245, 422.6, 422.7, 422.75, 626.9 and 626.10; and Section 1415 of Title 20 of United States Code; and Section 104.35 of Title 34 of the Code of Federal Regulations.

Policy Amended: April 8, 1997

# Manchester Union Elementary School District

Post Office Box 98 19550 S. Hwy. One  
Manchester, CA 95459

Cynthia L.B. Gonzalez  
Superintendent/Principal

Phone: (707) 882-2374 Fax: (707) 882-3106

Elsie Piper  
Business Manager

## Notice of Suspension from School

DATE: \_\_\_\_\_

Student's Name: \_\_\_\_\_ Grade: \_\_\_\_\_ DOB: \_\_\_\_\_

Parent/Guardian: \_\_\_\_\_ Telephone: \_\_\_\_\_

Address: \_\_\_\_\_

I regret to inform you that your student will be suspended from school for \_\_\_\_\_ days, for violation of Calif. Ed. Code, 48900. \_\_\_\_\_ At-home suspension Dates: \_\_\_\_\_ Student will return on \_\_\_\_\_.

\_\_\_\_\_ In school suspension Dates: \_\_\_\_\_

\_\_\_\_\_ a. Caused/attempted to cause/threatened to cause physical injury to another person.

\_\_\_\_\_ b. Possession of firearm, knife, explosive or other dangerous object.

\_\_\_\_\_ c. Possession of/under the influence of controlled substances, drugs, alcohol.

Section 11007, Health & Safety Code.

\_\_\_\_\_ d. Offered, arranged or sold any controlled substance, drug, alcohol.

Section 11007, Health & Safety Code.

\_\_\_\_\_ e. Committed robbery or extortion by use of force or threat.

\_\_\_\_\_ f. Caused/attempted to cause damage to school/private property.

\_\_\_\_\_ g. Stole/attempted to steal school/private property.

\_\_\_\_\_ h. Possessed or used tobacco/tobacco products.

\_\_\_\_\_ i. Committed an obscene act, habitual profanity/vulgarity.

\_\_\_\_\_ j. Possession/sale of drug paraphernalia.

Section 11014.5, Health & Safety Code.

\_\_\_\_\_ k. Disrupted school activities, willfully defied valid school authority of school personnel.

\_\_\_\_\_ l. Knowingly received stolen school/private property.

\_\_\_\_\_ m. Possession of an imitation firearm that could be reasonably construed as real.

\_\_\_\_\_ n. Committed/attempted to cause sexual battery.

Penal Code, Sect. 243.4

\_\_\_\_\_ o. Harassed/threatened/intimidated a pupil who was a witness/complaining witness in a school disciplinary proceeding.

\_\_\_\_\_ 48900.2. Student committed sexual harassment.

Applicable for grades 4-12.

\_\_\_\_\_ 48900.3. Student committed an act of hate/violence.

Applicable for grades 4-12.

\_\_\_\_\_ 48900.4. Additional grounds for harassment, threats or intimidation.

Applicable for grades 4-12.

\_\_\_\_\_ 48900.7 Terroristic threat

Description of incident leading to suspension: \_\_\_\_\_

You, or your child, have the right to request a meeting pursuant to Board Policy 5144. Parents have the right to access their students' records as provided in Education Code Sections 49061 and 49069.

During the period of suspension your child is to remain away from school and school sponsored activities unless authorized by the Superintendent/Principal to attend. Supervision of the pupil during the suspension is the responsibility of the parent or guardian.

Before your child will be allowed back to school, a suspension meeting will be held with the Superintendent/Principal or their designee in the school office on: \_\_\_\_\_ at \_\_\_\_\_.

Signed,

Cynthia LB Gonzalez, Superintendent/Principal

Board of Trustees  
Jack O'Rourke, Frances Robbins, Rick White



# Manchester Union Elementary School District

Post Office Box 98 19550 S. Hwy. One

Manchester, CA 95459

Cynthia L.B. Gonzalez  
Superintendent/Principal

Phone: (707) 882-2374 Fax: (707) 882-3106

Elsie Piper  
Business Manager

## AVISO DE SUSPENSIÓN

DATE: \_\_\_\_\_

Nombre del estudiante: \_\_\_\_\_ Grado: \_\_\_\_\_ FDN \_\_\_\_\_

Padres: \_\_\_\_\_ Telefono: \_\_\_\_\_

Dirección: \_\_\_\_\_

Lamento informarle que su hijo será suspendido de la escuela por \_\_\_\_\_ días, por la violación de California Ed. Código 48900. \_\_\_\_\_ Suspensión en su casa Fechas: \_\_\_\_\_ Regresa a la escuela en: \_\_\_\_\_

\_\_\_\_\_ Suspensión en la escuela Fechas: \_\_\_\_\_

\_\_\_\_\_ a. Causó, intentó, o amenazó con causar una lesión en otra persona.

\_\_\_\_\_ b. Posesión o uso de un arma u otro objeto peligroso

\_\_\_\_\_ c. Poseyó, usó, vendió, o estuvo bajo la influencia de cualquier sustancia controlada: alcohol, o un intoxicante de cualquier clase.

Seccion 11007, Health & Safety Code.

\_\_\_\_\_ d. Ilegalmente arregló/negó la venta de cualquier sustancia controlada...luego vendió, facilitó a cualquier persona otro líquido, sustancia...representada como sustancia controlada, bebida alcohólica o intoxicante

Seccion 11007, Health & Safety Code.

\_\_\_\_\_ e. Cometió o intentó un robo o extorsión

\_\_\_\_\_ f. Causó o intentó causar daño a la propiedad escolar o privada.

\_\_\_\_\_ g. Cometió o intentó un robo o extorsión.

\_\_\_\_\_ h. Posesión/uso de tabaco.

\_\_\_\_\_ i. Acto obsceno, vulgaridad, o profanidad habitual.

\_\_\_\_\_ j. Posesión, venta de drogas parafernalias.

Seccion 11014.5, Health & Safety Code.

\_\_\_\_\_ k. Interrupción de las actividades escolares/desafió la autoridad del personal escolar.

\_\_\_\_\_ l. Deliberadamente recibió propiedad escolar/privada que ha sido robada.

\_\_\_\_\_ m. Posesión de una imitación de un arma de fuego

\_\_\_\_\_ n. Cometió o intentó cometer una agresión o ataque sexual.

Como se define en el Código Penal 243.4

\_\_\_\_\_ o. Acosó, amenazó, o intimidó a un estudiante que es un testigo demandante en un procedimiento disciplinario...propósito de prevenir que ese estudiante sea un testigo y/o represalias en contra de ese estudiante

\_\_\_\_\_ 48900.2. Acoso sexual.

Para grados 4-12

\_\_\_\_\_ 48900.3. Violencia por odio.

Para grados 4-12

\_\_\_\_\_ 48900.4. Acoso, amenazas, intimidación hacia otras personas.

Para grados 4-12

\_\_\_\_\_ 48900.7 Amenaza terrorista

Descripción del incidente que provocó la suspensión del estudiante: \_\_\_\_\_

Usted puede solicitar una junta con la Directora General o persona designada por la Directora General como se estipula en la Política No. 5144 de la Mesa Directiva. Los padres de familia tienen el derecho de revisar los archivos de los estudiantes como se provee en las Secciones 49061 y 49069 del Código de Educación.

Durante el periodo de suspensión, su hijo debe permanecer alejado de la escuela y de las actividades patrocinadas por la escuela a menos que los oficiales escolares lo hayan autorizado para estar allí. La supervisión de los alumnos durante la suspensión es la responsabilidad de los padres o del tutor.

Antes de que su hijo se le permitirá regresar a la escuela, una reunión suspensión se llevará a cabo con el Superintendente / Director o la persona designada en la oficina de la escuela en: \_\_\_\_\_ a \_\_\_\_\_.

Signed,

Cynthia LB Gonzalez, Directora

Board of Trustees

Jack O'Rourke, Frances Robbings, Rick White

**Business and Noninstructional Operations**

**Crime Data Reporting**

The principal or designee at each school shall immediately record each incident of school crime on the California Safe Schools Assessment (CSSA) incident form and shall monthly send these forms to the Superintendent or designee. (Penal Code 628-628.2)

The Superintendent or designee shall report school crime information to the California Department of Education or its designee by February 1 of each year for the period of July 1 through December 31 and by August 1 of each year for the period of January 1 through June 30. (Penal Code 628.2)

*(cf. 1112 - Media Relations)*

Copies of CSSA incident forms and any districtwide aggregated data shall be made available to the public upon request. (Penal Code 628.2)

The district shall make available, for at least three years from the date the report was submitted, supporting data which verifies information contained on the CSSA forms. Such data shall include, but not be limited to: (5 CCR 702)

1. Reports to local law enforcement officers for the crime classifications specified in Education Code 48915(a)-(d)
2. Suspension and expulsion reports which have been reported to the Governing Board for the crime classifications specified in Education Code 48915(a)-(d)

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

3. Insurance claims, maintenance records and other documents to verify economic loss, if applicable

*(cf. 0510 - School Accountability Report Card)*

*(cf. 1340 - Access to District Records)*

*(cf. 3515 - Campus Security)*

The Superintendent or designee shall ensure that staff is made available to participate in interviews during site visits from the California Department of Education. (5 CCR 702)

The Superintendent or designee shall certify to the best of his/her knowledge and belief that the information in each CSSA form is true, accurate and complete prior to submission to the California Department of Education. (5 CCR 704)

**Legal Reference:**

EDUCATION CODE

14044 Crimes committed on school grounds

48915 Expulsion

PENAL CODE

628-628.6 Reporting of school crime

CODE OF REGULATIONS, TITLE 5

700-705 Safe schools assessment programs

**Management Resources:**

**CDE PUBLICATIONS**

*Understanding and Reporting School Crime, California Safe Schools Assessment, California Department of Education and Butte County Office of Education, 1995*

**WEB SITES**

CDE Safe Schools and Violence Prevention Office: <http://www.cde.ca.gov/spbranch/safety/safetyhome.html>

Butte County Office of Education (CDE's designee): <http://www.cssa.butte.k12.ca.us>

(6/93 10/95) 10/98

**Policy Adopted:** date unknown

**Policy Amended:** 9/9/03

**Students**

**Child Abuse Reporting Procedures**

The Governing Board recognizes that the district has a responsibility to protect students by facilitating the prompt reporting of known and suspected incidents of child abuse and neglect. The Superintendent or designee shall establish regulations for use by district employees in identifying and reporting such incidents.

*(cf. 5141.41 - Child Abuse Prevention)*  
*(cf. 5142 - Safety)*

District employees are obligated to report all known or suspected incidents of child abuse and neglect in accordance with law, Board policy, and administrative regulation. Employees shall not investigate any suspected incidents but rather shall fully cooperate with agencies responsible for reporting, investigating and prosecuting cases of child abuse and neglect.

Parents/guardians may file a complaint against a district employee or other person whom they suspect has engaged in abuse of a child at a school site. The Superintendent or designee shall provide parents/guardians information about reporting procedures in accordance with law.

The Superintendent or designee shall provide training regarding the reporting duties of district employees mandated by law to report suspected child abuse and neglect.

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

In the event that training is not provided to the employees mandated to report child abuse and neglect, the Superintendent or designee shall report to the California Department of Education the reasons that such training is not provided. (Penal Code 11165.7)

**Legal Reference:**

**EDUCATION CODE**

33308.1 Guidelines on procedure for filing child abuse complaints  
44690-44691 Staff development in the detection of child abuse and neglect  
48906 Notification when student released to peace officer  
48987 Dissemination of reporting guidelines to parents

**PENAL CODE**

152.3 Duty to report murder, rape or lewd or lascivious act  
273a Willful cruelty or unjustifiable punishment of child; endangering life or health  
288 Definition of lewd or lascivious act requiring reporting  
11164-11174.3 Child Abuse and Neglect Reporting Act

**WELFARE AND INSTITUTIONS CODE**

15630-15637 Dependent adult abuse reporting

**CODE OF REGULATIONS, TITLE 5**

4650 Filing complaints with CDE, special education students

**Management Resources:**

**CDE LEGAL ADVISORIES**

0514.93 *Guidelines for parents to report suspected child abuse by school district employees or other persons against a pupil at school site*

**WEB SITES**

CDE: <http://www.cde.ca.gov>

School/Law Enforcement Partnership: <http://www.cde.ca.gov/spbranch/safety/partnership.html>

California Attorney General: <http://caag.state.ca.us/childabuse>

California Department of Social Services: <http://www.dss.cahwnet.gov>

Governor's Office of Criminal Justice Planning: <http://www.ocjp.ca.gov>

(3/88 6/93) 3/01

**Policy Adopted:** 2/10/04

**Policy Amended:**

**Students**

**Child Abuse Reporting Procedures**

Definitions

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

1. A physical injury inflicted by other than accidental means on a child by another person
2. Sexual abuse of a child as defined in Penal Code 11165.1
3. Neglect as defined in Penal Code 11165.2
4. Willful cruelty or unjustifiable punishment of a child as defined in Penal Code 11165.3
5. Unlawful corporal punishment or injury resulting in a traumatic condition as defined in Penal Code 11165.4
6. Abuse or neglect of a child in out-of-home care, including at school, as defined in Penal Code 11165.5

Child abuse or neglect does not include:

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

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

3. The exercise by a teacher, vice principal, principal or other certificated employee of the same degree of physical control over a student that a parent/guardian would be privileged to exercise, not exceeding the amount of physical control reasonably necessary to maintain order, protect property, protect the health and safety of students, or maintain proper and appropriate conditions conducive to learning (Education Code 44807)
4. An amount of force that is reasonable and necessary for a school employee to quell a disturbance threatening physical injury to persons or damage to property, to protect himself/herself, or to obtain weapons or other dangerous objects within the control of the student (Education Code 49001)

*(cf. 5144 - Discipline)*

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

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

## Manchester Union Elementary School District

AR 5141.4 (b)

(cf. 5141.41 - Child Abuse Prevention)

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

### Reporting Procedures

1. Whenever any mandated reporter, in his/her professional capacity or within the scope of his/her employment, has knowledge of or observes a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect, that mandated reporter shall report to any police department, sheriff's department, county probation department if designated by the county to receive such reports, or the county welfare department. (Penal Code 11166)

(Name of Appropriate Agency)

(Address and Phone Number)

The mandated reporter shall make this report by telephone immediately or as soon as practicably possible. (Penal Code 11166)

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

The reporting duties are individual and cannot be delegated to another person. Reporting the information to an employer, supervisor, school principal, school counselor, co-worker, or other person shall not be a substitute for making a mandated report to the appropriate agency. (Penal Code 11166)

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

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

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

2. Within 36 hours of receiving the information concerning the incident, the mandated reporter shall prepare and send to the appropriate agency a written report that includes a completed Department of Justice form. (Penal Code 11166, 11168)

Mandated reporters may obtain copies of the above form from either the district or the appropriate agency.

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

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

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

Information relevant to the incident of child abuse or neglect may also be given to an investigator from an agency that is investigating the case. (Penal Code 11167)

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

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

The mandated reporter shall not be required to disclose his/her identity to the principal. He/she may provide or mail a copy of the written report to the principal, Superintendent or designee without his/her signature or name.

5. Any person shall notify a peace officer if he/she reasonably believes that he/she has observed the commission of any of the following offenses where the victim is a child under age 14: (Penal Code 152.3, 288)

- a. Murder
- b. Rape
- c. Lewd or lascivious act by use of force, violence, duress, menace, or fear of immediate and unlawful bodily injury

#### Training

Training of mandated reporters shall include child abuse identification and reporting. All employees receiving such training shall receive written notice of state reporting requirements and employees' confidentiality rights. (Penal Code 11165.7)



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

*(cf. 5144 - Discipline)*

*(cf. 5145.7 - Sexual Harassment)*

Victim Interviews

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

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

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

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

Release of Child to Peace Officer

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

Peace officers shall be asked to sign an appropriate release or acceptance of responsibility form.

*(cf. 5145.11 - Questioning and Apprehension)*

Parent/Guardian Complaints

Upon request, the Superintendent or designee shall provide parents/guardians with procedures whereby they can report suspected child abuse occurring at a school site to appropriate agencies. Such procedures shall be in the primary language of the parent/guardian and, when communicating orally regarding those

## Manchester Union Elementary School District

AR 5141.4 (e)

procedures, an interpreter shall be provided for parents/guardians whose primary language is other than English. (Education Code 48987)

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

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

In addition, if the child is enrolled in special education, a separate complaint may be filed with the California Department of Education under 5 CCR 4650(a)(viii)(C).

### Disciplinary Action

Any district employee accused of abusing or neglecting a student may be subject to reassignment or a paid leave of absence pending the outcome of an investigation by the appropriate agency.

If a determination is made that an employee has committed child abuse or neglect, the district may take disciplinary action, including suspension and dismissal, in accordance with law, Board policy, administrative 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)*

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

### Notifications

The Superintendent or designee shall give persons hired by the district a statement informing them that they are mandated by law to report suspected child abuse and neglect, inform them of their reporting obligations under Penal Code 11166, and provide a copy of Penal Code 11165.7 and 11166. Before beginning employment, employees shall sign the statement indicating that they have knowledge of the reporting obligations under Penal Code 11166 and that they will comply with those provisions. The signed statements shall be retained by the Superintendent or designee. (Penal Code 11166.5)

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

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

The Superintendent or designee shall also notify all employees that:

1. A mandated reporter who reports a known or suspected instance of child abuse or neglect shall not be held civilly or criminally liable for making a report. Any other person making a report shall not incur civil or criminal liability unless it can be proven that he/she knowingly made a false report or made a report with reckless disregard of the truth or falsity of the report. (Penal Code 11172)

**Manchester Union Elementary School District**

**AR 5141.4 (f)**

2. If a mandated reporter fails to report an incident of known or reasonably suspected child abuse or neglect, he/she is guilty of a misdemeanor punishable by a fine and/or imprisonment. (Penal Code 11166)
3. No employee shall be subject to any sanction by the district for making a report. (Penal Code 11166)

(3/88 6/93) 3/01

**Policy Adopted:** 2/10/04

**Policy Amended:**

## Sexual Harassment

The Governing Board recognizes that sexual harassment can cause embarrassment, feeling of powerlessness, loss of self-confidence, reduced ability to perform schoolwork, and increased tardiness.

To promote an environment free of sexual harassment, the principal or designee shall take appropriate actions such as removing vulgar or offending graffiti, establishing site rules, and providing staff inservice or student instruction and counseling. Teachers shall discuss this policy with their students in age-appropriate ways and shall assure them that they need not endure any form of sexual harassment.

*(cf. 52131.5 - Vandalism, Theft and Graffiti)*  
*(cf. 5137 - Positive School Climate)*

The Board shall not tolerate the sexual harassment of any student by any other student or district employee. Any student or employee who is found guilty of sexual harassment shall be subject to disciplinary action.

*(cf. 4119.11 - Sexual Harassment)*  
*(cf. 4118 - Suspension/Disciplinary Action)*  
*(cf. 5144 - Discipline)*  
*(cf. 5144.1 - Suspension and Expulsion/Due Process)*

The Board encourages student or staff to immediately report incidences of sexual harassment to the principal or designee. The superintendent or designee shall promptly investigate each complaint of sexual harassment in a way that ensures the privacy of all parties concerned. In no case shall the student be required to resolve the complaint directly with the offending person.

*(cf. 1312.3 - Uniform Complaint Procedures)*

*Legal Reference:*

### EDUCATION CODE

212.5 Sexual Harassment

230 Particular Practices Prohibited

TITLE VII OF THE CIVIL RIGHTS ACT OF 1964

TITLE IX OF THE EDUCATION AMENDMENTS OF 1972

## Sexual Harassment Policy

### FORMS OF SEXUAL HARASSMENT

Forms of sexual harassment include, but are not limited to, the following:

1. Oral harassment such as derogatory comments, jokes or slurs;
2. Physical harassment such as unnecessary or unwelcome or offensive touching, or impeding or blocking movement;
3. Visual harassment such as derogatory or offensive posters, cards, cartoons, graffiti, drawings, or gestures; and
4. Unwelcome sexual advances, requests, or demands for sexual favors, and other oral or physical conduct of a sexual nature.

### RIGHTS OF A COMPLAINANT

Any pupil wishing to make a complaint of sexual harassment should immediately report it to the principal or designee. However, there is absolutely no requirement that a pupil must make a complaint to the alleged harasser. If the principal or designee is the alleged harasser, the pupil should make the complaint to the Superintendent. A pupil making a complaint of sexual harassment shall not suffer any reprisal for doing so. The District will promptly and thoroughly investigate all immediate and appropriate action to resolve such complaints. All incidents of sexual harassment will be remedied. A report of the results of the investigation will be made to the complainant, the alleged harasser and the supervisor of the alleged harasser.

### PROMPT AND THOROUGH INVESTIGATION

Under receipt of a complaint alleging sexual harassment, the District representative conducting the investigation shall do the following:

1. Inform the complainant of the rights under the Board Policy;
2. Authorize the investigation of the complaint and supervise and/or conduct the investigation of the complaint. The investigation, at a minimum, shall include interviews with the complainant, the alleged harasser, and all other persons who might have relevant knowledge about the complainant, including possible witnesses or victims of prior similar conduct;
3. Take reasonable steps to protect the complainant from any retaliation for filing the complaint;
4. Review factual information gathered to determine whether the alleged conduct constitutes sexual harassment;
5. Report the results of the investigation to the complainant, the alleged harasser, and the supervisor of the alleged harasser;
6. If the harassment occurred, take and/or recommend prompt and effective remedial action against the harasser;

7 Take reasonable steps to protect the complainant and other potential victims from further harassment, if such harassment is determined;

8 Take reasonable steps to alleviate the effects of the harassment.

### COMPLAINT PROCEDURES

Any pupil wishing to make a complaint of sexual harassment shall immediately file a written complaint, except that no pupil is required to file any complaint with the alleged harasser.

### DISSEMINATION OF POLICY

All employees and pupils shall be notified of the Board Policy on a regular basis, and consistent with Education Code Sections 212.6 and 48980.

*Legal Reference:*

EDUCATION CODE SECTIONS 212.6, 48980

Policy Adopted February 9, 1993

Sexual Harassment

## ED CODE 212.5

Pursuant to law, unwelcome sexual advances, requests for sexual favors, and other verbal, visual or physical conduct of a sexual nature constitute sexual harassment when:

- 1 Submission to the conduct is explicitly or implicitly made a term or condition of an individual's employment, academic status or progress.
- 2 Submission to, or rejection of, the conduct met by an individual is used as the basis for academic or employment decisions affecting the individual.
- 3 The conduct has the purpose or effect of having a negative impact on the individual's academic or work performance, or of creating an intimidating, hostile or offensive educational or work environment.
- 4 Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual activities available at or through the school.

**Students**

**Dress & Grooming**

The Governing Board encourages students to dress appropriately for school, noting that when they are neatly attired and take pride in their appearance a better learning environment is created. It is primarily the responsibility of the parent or legal guardian to see that a student is appropriately dressed for attending school.

To provide basic guidelines for appropriate attire, the Board has established the following;

- 1.0 Shorts/pants; hemmed shorts or culottes may be worn that are not shorter than mid-thigh length. No short shorts/cut-offs, or split legged pants. Gym shorts may be required for physical education activities and shall be worn for that activity only. Over-sized, baggy or sagging pants and pajama pants are not allowed as they inhibit student's participation in physical activities.
- 2.0 Dress length shall be no shorter than mid-thigh and split in skirts shall not exceed mid-thigh.
- 3.0 See-through apparel, low riding pants or any attire that exposes the midriff, chest cleavage or bottom cleavage, is not allowed. Boys must wear shirts at all times. Undergarments: undershirts, boxers, underpants and bras must be covered at all times. All tank top style shirts must have at least a 2" shoulder strap.
- 4.0 Clothing that makes reference in any language to alcohol, drugs, race or sex or contains writing or pictures that are obscene or suggestive are not allowed.
- 5.0 Only shoes or sandals that protect the feet are to be worn. No flip-flops.
- 6.0 Caps or hats may be worn outside but not inside buildings.
- 7.0 If the student is inappropriately dressed, his/her parents will be called. The student may attend class when he/she is appropriately dressed.
- 8.0 If a student arrives at school unclean or untidy, the administrator or designated teacher in charge has the authority to send the child home to be properly prepared for re-entrance to school.

**Legal Reference:** California Administrative Code, Title V, 302  
Pupils to be neat and clean upon entering school

**Policy Adopted:** November 21, 1995

**Policy Amended:** November 12, 2013