

Mark Twain Union Elementary School District

Comprehensive School Safety Plan

SB 719 & AB 115

**Standardized Emergency Management (SEMS)
National Incident Management System (NIMS)
Compliance Document**

Revised *February 2022*

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This document is to be maintained for public inspection during business hours

Mark Twain Union Elementary School District Comprehensive School Safety Plan

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Comprehensive School Safety Plan

Mark Twain Union Elementary School District
Section 1: General Information – School Safety
Part 1: District Commitment to School Safety

District Commitment to School Safety (page 1 of 1)

Mark Twain Union Elementary School District is committed to ensuring that students enrolled in this district, and all employees attend campuses that are safe and secure.

The District believes that a beginning step toward safer schools is the development of a comprehensive plan for school safety by every school in the District. The District intends that parents, students, teachers, administrators, counselors, classified personnel, and community agencies develop safe school plans, including local law enforcement. The school site committee will review these safe school plans on an annual basis and proposed changes will be submitted to the Board for approval.

Comprehensive School Safety Plan

Mark Twain Elementary School Mark Twain Union Elementary School District

Section 1: General Information – School Safety
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Part 2: Legislative Requirements – CSSP

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

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

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

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

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

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

Comprehensive School Safety Plan

Mark Twain Elementary School Mark Twain Union Elementary School District

Section 1: General Information – School Safety
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Part 3: Legislative Requirements – Standardized Emergency Management System (SEMS)
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Mark Twain Union Elementary School District has incorporated protocols of California's Standardized Emergency Management System (SEMS). The California Code of Regulations, Title 19, Division 2, Chapter 1, Sections 2400-2450 outlines the requirements of all special districts. These regulations establish the Standardized Emergency Management System (SEMS) based upon the Incident Command System (ICS). SEMS is intended to standardize response to emergencies involving multiple jurisdictions or multiple agencies. SEMS is intended to be flexible and adaptable to the needs of all emergency responders in California.

SEMS requires emergency response agencies use basic principles and components of emergency management including;

- ICS,
- Multi-agency or inter-agency coordination,
- Operational area concept, and
- Established mutual aid systems.

State agencies must use SEMS. Local governments must use SEMS by December 1, 1996 in order to be eligible for state funding of response-related personnel costs pursuant to activities identified in California Code of Regulations, Title 19, §2920, §2925, and §2930.

Executive Order S-2-05 issued by the Governor of California directs the California Office of Emergency Services and Office of Homeland Security, in cooperation with the Standardized Emergency Management System Advisory Board, will develop a program to integrate the National Incident Management System, to the extent appropriate, into the state's emergency management system.

Comprehensive School Safety Plan

Mark Twain Elementary School Mark Twain Union Elementary School District

Section 1: General Information – School Safety
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Part 4: Legislative Requirements – National Incident Management System (NIMS)

In 2004, the Department of Homeland Security released the National Incident Management System (NIMS) as required by Homeland Security Presidential Directive (HSPD) -Management of Domestic Incidents and HSPD-8 Preparedness. While most emergency situations are handled locally, when there's a major incident help may be needed from other jurisdictions, the state and the federal government. NIMS was developed so responders from different jurisdictions and disciplines can work together better to respond to natural disasters and emergencies, including acts of terrorism. NIMS benefits include a unified approach to incident management; standard command and management structures; and emphasis on preparedness, mutual aid and resource management.

HSPD-5 established and designated the NIMS Integration Center (NIC) as the lead federal entity to coordinate NIMS compliance. Its primary function is to ensure that NIMS remains an accurate and effective management tool through refining and adapting compliance requirements to address ongoing preparedness needs.

To accomplish this, the Compliance and Technical Assistance Branch relies on input from Federal, State, local, tribal, multi-discipline and private sector stakeholders to assure continuity and accuracy of ongoing implementation efforts. In this collaborative role, the NIC has worked with these partners to refine and implement improvements to NIMS, including the development of performance measurement systems for State, territorial, tribal, and local governments, based on lessons learned and best practices from across the nation.

NIMS plans include;

- Use of standardized terminology,
- Standardized organizational structures (ICS),
- Interoperable communications,
- Consolidated action plans,
- Unified command structures, when applicable,
- Uniformed personnel qualifications standards,
- Uniformed planning, training, and exercises,
- Comprehensive resource management, and
- Designated incident facilities.

Comprehensive School Safety Plan

Mark Twain Elementary School Mark Twain Union Elementary School District

Section 1: General Information – School Safety
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Part 5: Maintaining a Safe and Orderly Environment
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It is a priority of the administration and staff in the *Mark Twain Union Elementary School District* that every student who attends our schools will be provided with an environment in which the students not only feel physically safe, but that there is also a positive school climate in all activities both in and out of the classroom.

Our administration and staff desire to provide an orderly, caring, and nondiscriminatory learning environment in which all students can feel comfortable and take pride in their school and their achievements.

Our administration encourages staff to teach students the meaning of equality, human dignity, and mutual respect, and to employ cooperative learning strategies that foster positive interactions in the classroom among students from diverse backgrounds.

Students shall have opportunities to voice their concerns about school policies and practices and to share responsibility for solving problems that affect their school. Staff shall encourage and reward success and achievement, participation in community projects, and positive student conduct.

Our school district promotes nonviolent resolution techniques in order to encourage attitudes and behaviors that foster harmonious relations. Staff shall receive training which implements and supports conflict resolution (California Education Code Sections 32228 – 3228.6, 35160, 35160.1, 44806).

Comprehensive School Safety Plan

Mark Twain Elementary School Mark Twain Union Elementary School District
Section 1: General Information – School Safety
Part 6: Responsibilities

Responsibilities

Superintendent

The Superintendent is responsible for the overall, district wide implementation of all aspects of this program.

Principals

Principals for each school site are responsible for the implementation of the Comprehensive School Safety Plan at the site level. Under District policy, and by law, it is understood that the principal of a school is charged with the responsibility of students, professional staff and additional employees within their school. Therefore, it is the responsibility of the principal to designate a certificated person to assume a portion of that responsibility and to make decisions during a crisis in the absence of the principal.

The principal shall develop a list of persons in charge of the school during their absence. Suggestions include:

- ❖ Elementary Schools – Certificated staff member as designee.

The designee shall have copies of the CSSP and be fully aware of the procedures contained within. Faculty and staff shall be informed as to who's in charge when the principal is away.

LIST PERSON IN CHARGE DURING THE PRINCIPALS ABSENCE:

- ❖ Paul Gehres – Certificated staff member as designee.

Managers

Managers of employees that work at multiple sites are responsible for ensuring that employees are in compliance with this program. Oversight of such employees is also the responsibility of the person responsible for the implementation of this program at the site level to which the employee is working.

Supervisors

Supervisors will notify their employees of any known safety hazards or emergencies.

Employees

Employees will notify their supervisor of any new safety hazards or emergencies.
Employees will follow all reporting instructions as outlined in their CSSP.

Parents and Students

Parents and Students will follow all communication or reporting instructions as outlined in their CSSP.

Comprehensive School Safety Plan

Mark Twain Elementary School Mark Twain Union Elementary School District

Section 1: General Information – School Safety
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Part 7: District Emergency Communications Procedures
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District Emergency Communications Procedures

See **Appendix G for District Contact Numbers**

The first method of communication in an emergency at Mark Twain Union Elementary School District is the use of our intercom system.

In addition to our in house system, MTUESD uses the Infinite Campus Shout Out phone system for emergency communications with parents. In the event of an emergency the phone system will be called (can be connected via landline or cell phone) and a message can be sent out to parents and guardians via phone and email. In a disaster situation we can make contact with every phone number and email our students have listed on their emergency cards.

MTUESD will also make use of local media to get information out to the general public quickly.

Comprehensive School Safety Plan

Mark Twain Elementary School Mark Twain Union Elementary School District

Section 1: General Information – School Safety
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Part 8: Specific Emergency Communication
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Specific Emergency Communication

See **Appendix G for Emergency Contact Numbers**

The first method of communication in an emergency at Mark Twain Elementary School is the use of our new intercom system.

In addition to our in house system, Mark Twain uses the Infinite Campus phone system for emergency communications with parents. In an event of an emergency the phone system will be activated (can be connected via landline or cell phone) and a message can be sent out to parents and guardians via phone and email. In a disaster situation we can make contact with every phone number and email our students have listed on their emergency cards.

Mark Twain Elementary will also make use of local radio stations and local internet companies to get information out to the general public quickly. See emergency numbers page for information.

Comprehensive School Safety Plan

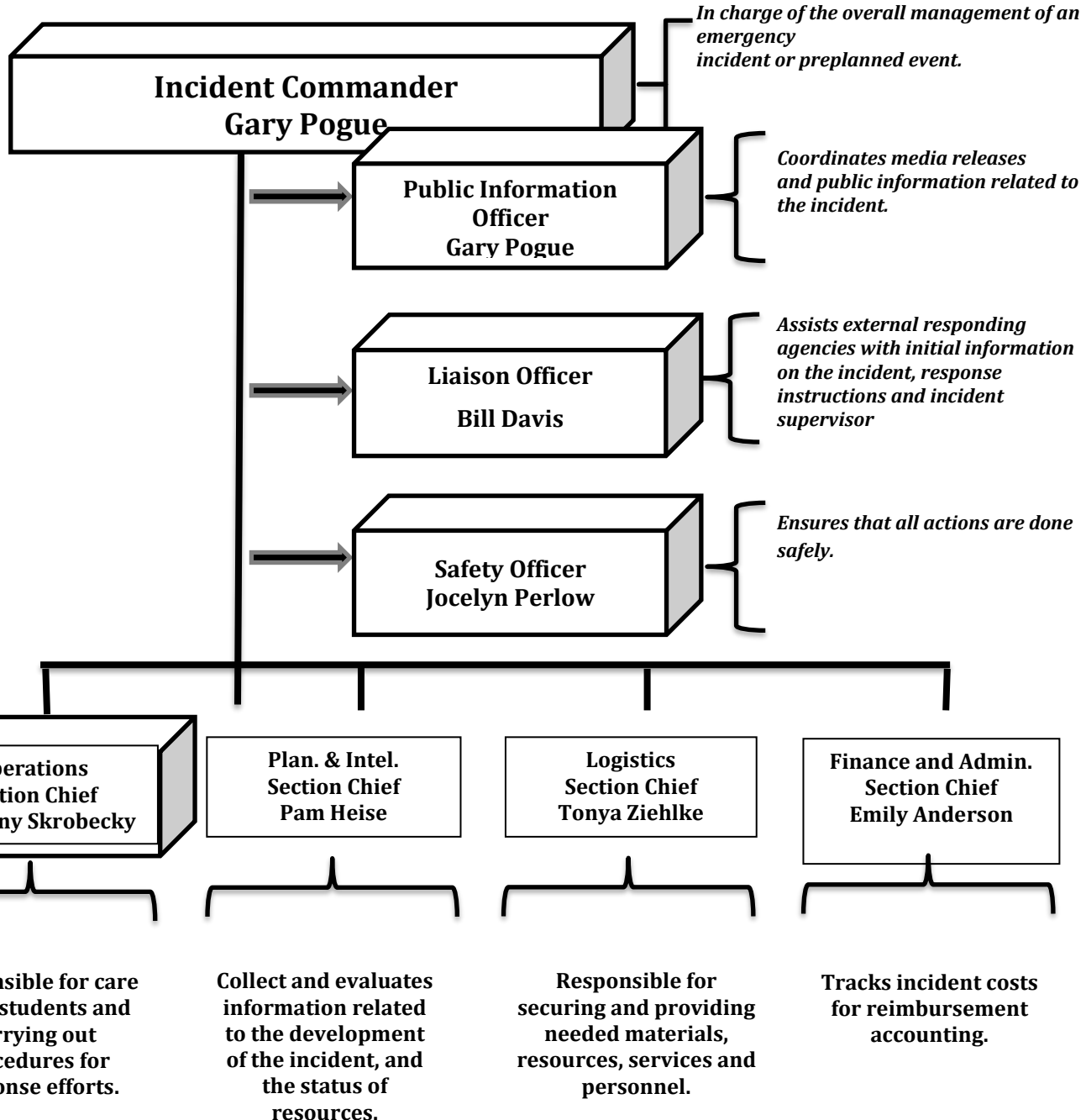
Mark Twain Elementary School
Mark Twain Union Elementary School District

Section 1: General Information – School Safety

Part 9: CSSP Internal School Site Communication Procedures

CSSP Internal School Site Communication Procedures

School Incident Response Team



Mark Twain Elementary School Mark Twain Union Elementary School District
Section 1: General Information – School Safety

CSSP Site Specific Assigned Roles

SEMS/NIMS will be utilized during all incidents or emergencies. When the campus activates its EOC communications and coordination will be established between the Incident Commander (in the field) and the EOC. Coordination of fire and law enforcement resources will be accomplished through their respective mutual aid systems. The same five primary functions of ICS will be utilized in the EOC as well as in the field.

EOC and IC Management Functions

- **Management:** This function provides for the overall management and coordination of response and recovery activities through the joint efforts of the District, local governmental agencies, and private organizations.
- **Operations:** This function is responsible for coordinating all jurisdiction operations in support of the response to the emergency through implementation of the action plan.
- **Planning/Intelligence:** This function is responsible for collecting, evaluation and disseminating intelligence and information; developing the action plan coordination with the other functions; and maintaining documentation.
- **Logistics:** This function is responsible for providing facilities, services, needed equipment, and materials.
- **Finance/Administration:** This function is responsible for financial and administrative aspects not assigned to the other functions.

This section gives a brief summary of terminology and assignment roles, which need to be a part of the school site's CSSP.

EOC Director - Responsible for operating and coordinating all emergency operations within the District' jurisdiction under the Standardized Emergency Management System (SEMS) and the Incident Command System (ICS); requesting mutual aid assistance with the approval of the Emergency Operations Executive; providing a liaison with nearby jurisdictions and appropriate State and Federal agencies and the effective operation and coordination of the District's Emergency Operations Center (EOC).

Incident Commander – The Incident Commander is responsible for incident activities including the development and implementation of strategic decisions and for approving the ordering and releasing of resources. The Incident Commander, regardless of rank or position in the organization, has complete authority and responsibility for conducting the overall operation.

PIO – Under the direction of the IC a member of the Command Staff, is responsible for the formulation and release of information about the incident to the news media.

Liaison Officer - A member of the Command Staff, and is the point of contact for the mutual aid agency representatives. This includes representatives from public and private contractors assisting the agency, Law Enforcement agencies, Fire services, Red Cross, Public Works, Coroner's Officer, etc.

Safety Officer - Developing and recommending measures for assuring personnel safety, and to assess and/or anticipate hazardous and unsafe operational conditions or situations.

Operations Chief- Ensure that the operations function is carried out including the coordination of response for all operational functions assigned to the EOC. Ensure those operational objectives and assignments identified in the EOC action plan are carried out effectively.

Logistics Chief - Provide logistical support for the incident. These include telecommunications, transportation, supplies, facilities, personnel, food, and ground support. Provides logistical support to all other sections

Planning Chief - Oversees Situation Analysis, Documentation, and the Incident Action Plan. Establishes special information collection activities as necessary, e.g., weather, environmental, toxics, etc. Assembles information on alternative strategies. Provides periodic predictions on incident potential. Reports significant changes in incident status. Compiles and displays incident status information.

Finance Chief - Responsible for managing all financial aspects of an incident to include: Financial and cost analysis, tracking and recording of personnel time, ensuring all obligation documents initiated at the incident are properly prepared and completed. It is important to brief administrative personnel on all incident related financial issues needing attention or follow-up, maintain periodic contact with administration on financial/administrative matters, process purchase orders and contracts in coordination with the Logistics Section.

Site Incident Command Center – General meeting location of the principal and their site emergency command team. The location is typically the office or front of the designated evacuation meeting area. The responsibilities of the site incident command center are to account for the presence of all students and staff, implement and

coordinate the emergency plan, control internal and external communication, and communicate with the Superintendent.

- **Command Center is located in the school office located at 646 Stanislaus Ave.**

School Safety Team Members- List staff members on the site committee:

1. Gary Pogue, Principal
2. Jessica Bottomley, Certificated Employee
3. Chandra Martinez, Certificated Employee
4. Paul Gehres, Certificated Employee
5. Harmony Skrobecky, Classified Employee

Sweep Team – The responsibilities of the site sweep team is to proceed in an orderly and pre-established sweep pattern checking classrooms, hallways, and storage areas for people and observable assessment of buildings. If injured people are found during the sweep, the team reports the location of all injured to the first aid team. The sweep team report to the site's incident command center.

- **Sweep Teams**

- Team 1: **Primary Wing (K, 1, 2, 3, 4, 5, 6, gym, restrooms)**
Chandra Martinez
Michelle Duncan
- Team 2: **Office Wing (Off., staffroom, comp. lab, speech, 9, 10, cafeteria, restrooms)**
Kathryn Deck
Pam Heise
- Team 3: **Intermediate Wing (15, 16, library, 17, 18, 19, 20, 21, 22, restrooms)**
Cathy Mueller
Justin Miller
- Team 4: **Science Wing/Rear Portables (11, 12, 13, 14, Middle room, 24, 25, 26a, 26b, 26c, 26d, 27, Extended Day, restrooms)**
Ken Swanner
Tami Hildebrand

Student Accounting Team – generally consists of all classroom teachers. Their responsibilities include,

- Ascertain the extent of injuries and capabilities for class evacuation
- Determine the need of assistance for neighboring (buddy) teachers
- Evacuate classrooms using pre-determined routes to specific location
- Takes roll and reports calls status to emergency operations center through sweep team members

- Supervises and reassures students throughout the duration of the emergency
- Take care of minor first aid needs

Student Release Team – Consists of helping to locate information on whereabouts of faculty, staff, and students. This team is the only team, which should release students to parent(s) or guardian(s). Team responsibilities include,

- Maintain a location at the front of emergency meeting area
- Assigning team(s) dedicated to the release of students and another team(s) dedicated to locating information for staff and students
- Release team begins the process of reuniting students with parents or guardians.
Team ensures students are released to authorized parent or guardian and documents release by using a sign out form

Team Members: Emily Anderson, Harmony Skrobecky, Tonya Ziehlke

Student Support Team – Is responsible for sending messengers or giving assistance where needed. Responsibilities include,

- Assist parents on where to find the Student Release Team
- Assist in obtaining first aid supplies to teachers who have minor first aid cases
- Assist in any other appropriate areas as designated by the principal
- **Team Members: Harmony Skrobecky, Tonya Ziehlke, Suzi O’Flinn**

Security Team – Generally consists of maintenance or custodial staff. This team’s responsibilities include,

- Shut off of all utilities
- *Turn on utilities when cleared to do so*
- Lock all external gates, doors, and/or secures school with personnel at open areas
- Assist in the routing of parents and emergency personnel as necessary

Team Members: Rhiannon Rogers, Ken Malvini, Russ Camp

First Aid Team-Generally located at the front of the emergency meeting area (field or gym) This team’s responsibilities include:

- **Administer first aid**
- **Record information on the extent of injuries and administer first aid**
- **Determine need for medical assistance**
- **Ensure medical supplies, emergency health records, student health records are at the location**

Team members: Emily Anderson, Suzi O’Flinn, Harmony Skrobecky, Bill Davis (if available)

Buddy System – Generally consists of pairing classroom teachers up so that each teacher is accounted for. Will also aid in staffing of sweep teams as some teachers may be assigned to sweep after the teachers and students are accounted for in the emergency meeting area.

- Tessa Pyle goes to Jana Taylor
- Tamson Lenior goes to Michelle Duncan
- Dia Eaves goes to Jessica Bottomley
- Chandra Martinez goes to Kel Lee Felix
- Jeff Airola goes to Sonya Garrison
- Josh Bailey goes to Ken Swanner
- Amber Sherrow goes to Michelle Bicknell
- Cathy Mueller goes to Justin Miller
- Olivia Birdwell goes to Paul Gehres
- Molly Teale goes to Lauren Duren
- PE Teacher goes to Tami Hildebrand
- Pam Heise goes to Tonya Ziehlke

First Aid Team – Generally located at the front of the emergency meeting area the team's responsibilities include:

- Administering first aid.
- Recording information on the extent of injuries and first administered.
- Determines need for medical assistance.
- Ensures medical supplies, emergency health records, and student health cards are at the location.

Team Members:, Sonya Garrison, Josh Bailey, Ken Swanner

List staff certified in CPR.

Justin Miller

Paul Gehres

List location and how to access first aid supplies. – First aid kits are located in each classroom and in the front office.

Crisis Team – Sometimes known as a grief counseling/crisis intervention team this group of people act as a resource for the District in providing recommendations or choices in response to an individual student's death; the loss of a significant other; death of a staff member; or any event which may adversely affect student learning. Core team crisis members often include local community members in the fields of religion, counseling, psychiatric care, psychological care. School team crisis members often include school psychologist, school nurse, and guidance counselor.

Special Needs Students and Staff - List students and staff who need special assistance (e.g. blind, deaf, autistic) and those who need wheel chairs or assistance with evacuation due to physical or other disabilities. Include students and staff who may require medication during a prolonged period of time.

See list in office and Emergency Binders

Extra Personnel: Assigned as needed:

Tina Baca
Julie Selby
Traci Warwick Johnson
Kathryn Deck
Cynthia Porter
Jonas Renteria
Tiffany Nolan
Allison Golliher
Naomi West
Rudy Castro
Dana Leary

Comprehensive School Safety Plan

School District
Mark Twain Union Elementary School District
Section 2: Child Abuse Reporting
Board Policy 5141.4 Administrative Regulation 5141.4

Board Policy 5141.4

Definitions

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

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

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

(cf. 5145.7 - Sexual Harassment)

Child abuse or neglect does not include:

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

(cf. 3515.3 - District Police/Security Department)

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

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

(cf. 5131.7 - Weapons and Dangerous Instruments)

(cf. 5144 - Discipline)

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

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

(cf. 6142.7 - Physical Education and Activity)

(cf. 6145.2 - Athletic Competition)

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

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

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

Reportable Offenses

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

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

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

Responsibility for Reporting

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

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

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

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

(cf. 1240 - Volunteer Assistance)

Reporting Procedures

1. Initial Telephone Report

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

Child Protective Service of Calaveras County
509 E. St. Charles St.
San Andreas, CA 95249
(209)754-6448

City of Angels Police Department
PO Box 459 / 200 Monte Verda St.
Angels Camp, CA 9522
(209)736-2567

Calaveras County Sheriff's Office
1045 Tuttle Dr.
San Andreas, CA 95249
(209)754-6500

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

2. Written Report

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

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

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

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

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

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

3. Internal Reporting

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

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

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

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

Training

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

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

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

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

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

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

Victim Interviews by Social Services

Whenever the Department of Social Services or another government agency is investigating suspected child abuse or neglect that occurred within the child's home or out-of-home care

facility, the student may be interviewed by an agency representative during school hours, on school premises. The Superintendent or designee shall give the student the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the student. (Penal Code 11174.3)

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

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

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

Release of Child to Peace Officer

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

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

Parent/Guardian Complaints

Upon request, the Superintendent or designee shall provide parents/guardians with procedures for reporting suspected child abuse occurring at a school site to appropriate

agencies. For parents/guardians whose primary language is not English, such procedures shall be in their primary language and, when communicating orally regarding those procedures, an interpreter shall be provided.

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

(cf. 1312.1 - Complaints Concerning District Employees)

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

(cf. 1312.3 - Uniform Complaint Procedures)

Notifications

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

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

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

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

The Superintendent or designee also shall notify all employees that:

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

Regulation MARK TWAIN UNION ELEMENTARY SCHOOL DISTRICT

approved: May 21, 2015 Angels Camp, California

revised: June 9, 2016

Comprehensive School Safety Plan

School District
Mark Twain Elementary School District
Section 3: Disaster Procedures
Part 1: General Information - Disaster

General Information – Disaster

Mark Twain Union Elementary School District will take all necessary measures to keep students, staff and visitors safe in the event of a disaster. The following sections of this plan outline basic responsibilities for all staff for specific incidents.

Comprehensive School Safety Plan

School District
Mark Twain Union Elementary School District
Section 3: Disaster Procedures
Part 2: Biological/Chemical Weapons Assault

Biological/Chemical Weapons Assault (page 1 of 2)

Biological and chemical weapons are unconventional warfare tactics that can be deployed upon the public with little or no notice. Such weapons typically involve microscopic materials that may be organic or synthetically manufactured in laboratories. Biological or chemical weapons can be in powder form, liquid, or vaporous. Agents used in biological/chemical attacks include, but are not limited to: anthrax, smallpox, other harmful viruses, various forms of nerve gas, tear gas, and other vaporous irritants. Pranks using stink bombs should also be considered a chemical weapons attack.

There are several possible dispersion techniques to deliver biological and chemical agents. The following procedures should be utilized in the event of an assault involving biological or chemical weapons.

Any possible biological/chemical weapons assault should be reported immediately to the principal.

The principal should notify law enforcement authorities immediately.

As necessary alert all site employees of the situation.

If the agent is delivered via aircraft:

1. *Shelter in place*
2. *Call Angels Camp Police Department/Calaveras Sheriff Department.*
3. *Call Office of Emergency Services.*
4. *Implement ICS*

If the agent is delivered via dispersion device that is outdoors:

1. *Shelter in a safe place*
2. *Call Angels Camp Police Department/Calaveras County Sheriff's Department*
3. *Call Office of Emergency Services.*
4. *Implement ICS*

Comprehensive School Safety Plan

School District
Mark Twain Union Elementary School District
Section 3: Disaster Procedures
Part 2: Biological/Chemical Weapons Assault

Biological/Chemical Weapons Assault (page 2 of 2)

If the agent is delivered via dispersion device that is outdoors:

1. Shelter in a safe place.
2. Call Angels Camp Police Dept./Calaveras County Sheriff's Dept.
3. Call Office of Emergency Services
4. Implement ICS

If the agent is delivered via dispersion device that is indoors:

1. Shelter in a safe place.
2. Call Angels Camp Police Dept./Calaveras County Sheriff's Dept.
3. Call Office of Emergency Services
4. Implement ICS

If the agent is delivered via the school's HVAC system:

1. Shelter in a safe place.
2. Call Angels Camp Police Dept./Calaveras County Sheriff's Dept.
3. Call Office of Emergency Services
4. Implement ICS

In any situation involving biological or chemical weapons the principal and staff must follow all instructions given by officers of emergency response agencies. *The District EOC* will develop an action plan to handle telephone inquiries, rumor control, media relations, public information, employee/student crisis counseling, and facility damage assessment/control.

Comprehensive School Safety Plan

School District
Mark Twain Union Elementary School District
Section 3: Disaster Procedures
Part 3: Bomb Threat Procedures

Bomb Threat Procedures (page 1 of 2)

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

1. Receiving the Call

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.

2. Notification Procedures

Communicate the above information to the following in this order:

Any employee who receives a bomb threat shall immediately call 911 and also report the treat 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.

The Principal or Site Administrator will notify local law enforcement and the District Superintendent's Office.

Strictly follow the above notification procedures and do not discuss or notify others of the bomb threat since this may create an unwarranted panic response at the facility.

3. Action Plan Procedures

If required to develop an action plan, the principal/administrator may consult with the following: other administrators, head counselor, head custodian utilizing their expertise.

If the location of the bomb is not specifically designated, students will be kept in the classroom.

Comprehensive School Safety Plan

School District
Mark Twain Union Elementary School District
Section 3: Disaster Procedures
Part 3: Bomb Threat Procedures

Bomb Threat Procedures (page 2 of 2)

The principal will make the decision to evacuate the building. However, if possible, this decision should be made in conjunction with law enforcement authorities after they arrive at the site.

The decision to search the building will be made in conjunction with law enforcement authorities and performed by them.

The principal will authorize reoccupation of an evacuated building only after consulting with law enforcement authorities.

The action plan procedure could include the following:

The principal or designee shall immediately use fire drill signals and institute standard evacuation procedures as specified in the emergency plan (if it is deemed safe to do so).

The 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. No other school staff shall search for or handle any explosive or incendiary device.

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.

MARK TWAIN UNION ELEMENTARY SCHOOL DISTRICT BOMB THREAT CHECKLIST

KEEP THE CALLER ON THE LINE AS LONG AS POSSIBLE

Exact Time and Date of Call: _____

Exact Words of Caller: _____

Please check the appropriate boxes.

Voice	Accent	Manner	Background Noise
<input type="checkbox"/> Loud	<input type="checkbox"/> Local	<input type="checkbox"/> Calm	<input type="checkbox"/> Factory Machines
<input type="checkbox"/> High Pitched	<input type="checkbox"/> Foreign	<input type="checkbox"/> Rationale	<input type="checkbox"/> Music
<input type="checkbox"/> Raspy	<input type="checkbox"/> Race	<input type="checkbox"/> Coherent	<input type="checkbox"/> Office Machines
<input type="checkbox"/> Intoxicated	<input type="checkbox"/> Not Local	<input type="checkbox"/> Deliberate	<input type="checkbox"/> Mixed
<input type="checkbox"/> Soft	<input type="checkbox"/> Region	<input type="checkbox"/> Righteous	<input type="checkbox"/> Street Traffic
<input type="checkbox"/> Deep		<input type="checkbox"/> Angry	<input type="checkbox"/> Trains
<input type="checkbox"/> Pleasant		<input type="checkbox"/> Irrational	<input type="checkbox"/> Animals
<input type="checkbox"/> Other		<input type="checkbox"/> Incoherent	<input type="checkbox"/> Quiet
		<input type="checkbox"/> Emotional	<input type="checkbox"/> Voices
		<input type="checkbox"/> Laughing	<input type="checkbox"/> Airplanes
			<input type="checkbox"/> Party Atmosphere

Language	Speech	Familiarity With Threatened Facility
<input type="checkbox"/> Excellent	<input type="checkbox"/> Fast	<input type="checkbox"/> Much
<input type="checkbox"/> Fair	<input type="checkbox"/> Distinct	<input type="checkbox"/> Some
<input type="checkbox"/> Foul	<input type="checkbox"/> Stutter	<input type="checkbox"/> None
<input type="checkbox"/> Good	<input type="checkbox"/> Slurred	
<input type="checkbox"/> Poor	<input type="checkbox"/> Slow	
<input type="checkbox"/> Other	<input type="checkbox"/> Distorted	
	<input type="checkbox"/> Nasal	
	<input type="checkbox"/> Lisp	

Questions to ask the caller.

1. When is the bomb going to explode? _____
2. Where is the bomb? _____
3. What does it look like? _____
4. What kind of bomb is it? _____
5. What will cause it to explode? _____
6. Did you place the bomb? _____
7. Why did you place the bomb? _____
8. Where are you calling from? _____
9. What is your address? _____
10. What is your name? _____

Comprehensive School Safety Plan

School District
Mark Twain Union Elementary School District
Section 3: Disaster Procedures
Part 4: Chemical or Hazardous Material Incident

Chemical or Hazardous Material Incident (page 1 of 1)

If a chemical spill at a nearby industry, students should remain inside. Students who are outside should be taken inside as soon as possible.

If the chemical spill is an immediate danger to students and staff of the school – as indicated by mandates from the emergency preparedness agencies, students and staff should exit the building through doors on the side of the building opposite the industry site.

Standard fire drill procedures should be followed.

If a chemical spill occurs onsite such as in a chemistry class, students in the area of the spill should be evacuated to an area outside.

Teachers shall proceed with emergency chemical spill procedure located in the District's Chemical Hygiene Plan.

If a fire occurs during a chemical spill, the fire alarms should be pulled and the fire emergency procedures shall be followed.

The principal will follow the pre-established district communication procedures and will then monitor the emergency situation and make decisions about moving groups of students away from areas that might be dangerous.

Notify 9-1-1 of the Chemical or Hazardous Material Incident.

Follow all instructions given by the Fire Department when they arrive at the facility.

Comprehensive School Safety Plan

School District
Mark Twain Union Elementary School District
Section 3: Disaster Procedures
Part 5: Earthquake Procedures

Earthquake Procedures (page 1 of 1)

Indoors

DUCK, COVER, AND HOLD.

Get under desk or table. Move away from windows and objects that could fall. Stay under desk or table until shaking stops. Classrooms with no cover: duck and cover against a wall until shaking stops.

Outdoors

Move away from buildings, utility poles and vehicles. Avoid all down wires or electrical lines. Do not run.

In School Bus

Stop vehicle in safe location away from power lines, overpasses or large buildings. Stay in vehicle and establish radio contact with Transportation and/or District E.O.C.

General

Be prepared for immediate aftershocks and ground motion.

Evaluate immediate area for earthquake related hazards (fire, building collapse, gas leaks, broken electrical lines, wires etc.).

Evaluate immediate area (classroom, bus, etc.) for injuries or medical aid situations.

Call 9-1-1, if you have an immediate emergency such as a fire or serious injury.

Assist injured with First Aid treatment.

The students and staff shall remain in the duck and cover position for at least two (2) minutes.

A signal bell will sound with announcements over the public address (P.A.) system to “evacuate the building at this time.” The signal bell will sound as long blast. The announcement over the public address system will be repeated three (3) times. The school’s office staff will make the evacuation announcement over the intercom system.

Evacuation should NOT be automatic.

If you do not hear an intercom announcement to evacuate, and are in an unsafe classroom-ceiling has collapsed, wires are crackling, broken glass is all over the floor, have another teacher watch your students and find the safest evacuation route. You may only need to move your class to another room.

Establish communications with your supervisor, principal or District EOC and follow emergency checklist and procedures.

Assist any police or fire units that respond to your location.

Check-in with your teacher “safety buddy”.

Each teacher will account for their students before the teacher and students leave the classroom.

Each teacher will gather their students and make an orderly exit out of the classroom.

The teacher will take their emergency bag with them as they exit the classroom.

Each classroom shall proceed to the pre-designated evacuation area three minutes after the bell and evacuation announcement has been made.

Reminder

The principal will follow the pre-established district communication procedures and will then monitor the emergency situation and make decisions about moving groups of students away from areas that might be dangerous.

Comprehensive School Safety Plan

School District
Mark Twain Union Elementary School District
Section 3: Disaster Procedures
Part 6: Explosion, Aircraft Crash or Similar Incident

Aircraft Crash (page 1 of 1)

If possible, Duck and Cover under a desk or table.

When an airplane crash occurs and the impact scatters debris into a classroom, students and teachers should immediately crawl under their desk.

The school's Principal or designee will call the local fire department or other emergency agencies.

Assist any injured requiring first aid treatment.

When the initial phase of the crash has ended, teachers and students should evacuate the building by following the normal evacuations procedures. If normal evacuations routes are blocked, alternate routes should be used.

Assist any persons who have physical problems evacuating the building.

When outside the building, each class moves quickly to a pre-designated location near the school. The meeting area should be at least 300 feet from the structure and out of the way of the fire department.

The teacher shall maintain control over the students for which he or she is responsible.

The school's para educators will go directly to entrances on the school site to direct all non-emergency traffic away from the buildings. Keep fire lanes, streets and walkways open for emergency responders.

The principal will follow the pre-established district communication procedures and will then monitor the emergency situation and make decisions about moving groups of students away from areas that might be dangerous.

Stay in assembly area and account for all personnel and students.

Do not return to buildings until authorized by the fire department or principal.

Comprehensive School Safety Plan

School District
Mark Twain Union Elementary School District
Section 3: Disaster Procedures
Part 7: Fire Procedures or Explosion

Fire Procedures (page 1 of 2)

In the event of an identified fire, the school's Principal or Principal Designee will call **911** and initiate fire alarm.

Signal will be sent to the entire school: Intercom announcement/command to initiate Fire procedures. The announcement will be "This is an alert, fire procedures" and the location for reunification will be stated.

The school's Para Educators will go directly to entrances on the school site to direct all non-emergency traffic away from the buildings.

The principal will follow the pre-established district communication procedures and will then monitor the emergency situation and make decisions about moving groups of students away from areas that might be dangerous.

Reminders

Students and teachers will exit the building through the designated doors. If the primary evacuation route is blocked, alternate routes shall be taken.

Stay in the designated assembly area and account for all personnel and students.

When outside the building, each class moves quickly to a pre-designated location near the school. The meeting area should be at least 300 feet from the structure and out of the way of the fire department.

The teacher shall maintain control over the students for which he or she is responsible.

Do not block fire lanes or areas used by the fire department.

Do not reenter building until authorized by fire department or the principal.

If the fire is off site, wait for instructions from the principal or District EOC.

Only trained personnel should operate fire extinguishers or other fire suppression systems.

Fire Alarm

In the event of a fire alarm, the office fire alarm panel will be checked by the administrator/principal/office staff to confirm the location of the alarm.

The school's Principal or Principal Designee will call **911**.

Signal will be sent to the entire school: Intercom announcement/command to initiate Fire Alarm/Shelter in Place procedures. The announcement will be "This is an alert, Shelter in Place until the alarm is identified."

- **Shelter in Place: Fire Alarm Alert**

Lock all exterior doors, gates and monitor main access to campus; Students and staff remain within the building and movement on the campus is limited/students are escorted around campus by school staff, regular classroom procedures. Staff will be sent an email, via office staff, with details as appropriate of the reason for the alert.

If you are outside: (Lunch or break periods) Instructions maybe communicated by verbal directions from staff on the grounds.

Staff and students will be directed to go to the nearest building or classroom.

The administrator/principal or designee will go to the location to determine the reason for the alarm: fire, smoke, or false alarm. Follow Fire Procedures if there is an identified fire. In the event of a false alarm see procedures below.

False Alarm

In the event of a possible false alarm, the administrator/principal or designee will attempt to determine the reason for the alarm. If the reason is unknown or a threat is discovered, follow Section 9/Lock Down procedures until the campus is cleared by local authorities.

As necessary, alert all site employees of the situation by intercom, Site staff must follow the instructions below:

Comprehensive School Safety Plan

School District
Mark Twain Union Elementary School District
Section 3: Disaster Procedures
Part 8: Flood Procedures

Flood Procedures (page 1 of 1)

If a flood warning is received by a District school or site, notify the District Superintendent immediately.

If a major flood warning is received at the District Office, the District EOC should be activated.

Reminders

The principal will follow the pre-established district communication procedures and will then monitor the emergency situation and make decisions about moving groups of students away from areas that might be dangerous.

Determine if the flow or pool of water is increasing in size near any classroom, assembly, or evacuation area. If so, consider moving classroom, assembly, or evacuation area to an alternate area.

Safe shelter should be maintained throughout the flood period.

Evacuation of specific schools, facilities or areas will be directed by the District EOC in coordination with SEMS/NIMS.

Comprehensive School Safety Plan

School District
Mark Twain Union Elementary School District
Section 3: Disaster Procedures
Part 9: Lockdown/Civil Unrest/ Active Shooter Procedures

Lockdown/Civil Unrest Procedures (page 1 of 4)

Any threatening disturbance should be reported immediately to the Principal/Administrator.

If the disturbance is affecting normal school or facility operations, the Principal/Administrator should notify law enforcement authorities immediately.

As necessary, alert all site employees of the situation by intercom, Site staff must follow the instructions below:

Alert:

1. Principal or designee will contact Law Enforcement and Superintendent immediately.
2. Signal will be sent to the entire school: Intercom announcement/command to initiate lockdown procedures.
 - **Shelter in Place: Neighborhood Alert Lockdown/Medical Lockdown Alert** – the announcement will be “This is an alert, shelter in place.” Lock all exterior doors, gates and monitor main access to campus; Students and staff remain within the building and movement on the campus is limited/students are escorted around campus by school staff, regular classroom procedures. A threat is either outside of the school or the campus needs to be unobstructed for medical personnel and parking lots are cleared of all traffic. Staff will be sent an email, via office staff, with details as appropriate of the reason for the alert.
 - **Lockdown: Threat is in the school/on campus** – the announcement will be “This is a lockdown” and state the type of threat and location of the threat. Further instruction may be given over the intercom/phone system. Staff/students are secured inside buildings or if possible escape to offsite designated evacuation point (District office complex); no movement on campus. **Teachers will follow ALICE procedures, see below.**

ALICE - Alert, Lockdown, Inform, Counter, Evacuate

ALICE is an acronym for Alert, Lockdown, Inform, Counter, and Evacuate. It’s not designed to be sequential but rather to be utilized dynamically in each unique situation.

Alert

Use plain and specific language to alert others to the danger. The purpose of the Alert is to make as many people as possible within the danger zone aware that a potentially life-

threatening situation exists. This can be facilitated via many different methods (PA, text, email, personal senses). No matter the method of delivery, the objective should be a conveyance of information, not an issuance of a command. The use of plain language, delivered through as many delivery channels as possible, is the best way to ensure awareness within the danger zone. It will empower as many as possible with the ability to make an informed decision as to their best option that will maximize survival chances.

Lockdown

Barricade the room. Prepare to Evacuate or Counter if needed. Lockdown is an important response in the event of an active shooter or violent intruder, but there has to be a semi-secure starting point from which survival decisions can be made. Relying on lockdown alone will significantly endanger occupants in a violent intruder situation.

Inform

Communicate the violent intruder's location and direction by any means necessary to pass on real-time information. Information should always be clear and direct and, as much as possible, communicate the whereabouts of the intruder. Effective information can keep the shooter off balance, giving people in the school more time to further lockdown, or evacuate to safety. Active shooters work alone 98 percent of the time. If the shooter is known to be in an isolated section of a building, occupants in other areas can safely evacuate while those in direct danger can perform enhanced lockdown and prepare to counter. Knowledge is the key to survival.

Counter

Create noise, movement, distance and distraction with the intent of reducing the shooter's ability to shoot accurately. Counter is NOT fighting. ALICE Training does not believe that actively confronting a violent intruder is the best method for ensuring the safety of all involved. Creating a dynamic environment decreases the shooter's chance of hitting a target and can provide the precious seconds needed in order to evacuate. ALICE does not endorse civilians fighting an active shooter, but when confronted directly in a life-and-death situation, individuals should use any actions necessary to defend themselves. Counter is a last-ditch and worst-case scenario option. Counter is about survival, the last barrier between a shooter and a potential victim, and anything a person can do gain control is acceptable. It's the opposite of being a sitting duck, and every action taken is a step towards survival.

Evacuate

When safe to do so, remove yourself from the danger zone. An active shooter in a building presents a situation like no other. Evacuating to a safe area takes people out of harm's way and hopefully prevents students and staff from having to come into any contact with the shooter. Keep in mind to break a window start at the top corner as opposed to the center.

3. The bell system will then be turned off by the office/ custodial staff to prevent undirected student movement.
4. **Procedures if you remain inside for a Lock Down:**
 - a) Check any areas outside your classroom and bathroom adjacent to your classroom. Instruct any students/staff to enter your room for "lockdown"
 - b) **Lock all classroom doors and exit doors.**
 - c) If your classroom has windows, close blinds and curtains. If your door has a window, cover it with a piece of paper if possible.
 - d) Keep students away from windows and doors. Instruct them to take cover under desks or lay down on the floor. Instruct them to remain quiet and calm.

- e) **Stay off cell phones.** Due to the fact that a shooter may hear them and shoot towards the sound. In case of a bomb, electronic devices (cell phones and radios) can also detonate a bomb.
 - f) **Turn off all equipment and sources of light.** (you want it to appear as if you have an empty room)
 - g) **If you observe an intruder, use the telephone and report location, description, and direction the intruder is heading.**
 - h) Await further instructions
 - i) **In a lockdown, police or emergency responders will identify themselves, enter your classroom and direct you to the proper evacuation location.**
5. All buildings will be locked and checked, if possible, by maintenance/custodial staff as soon as possible
 6. **If you are outside: (Lunch or break periods) Instructions maybe communicated by verbal directions from staff on the grounds.**
 - a) Staff and students will be directed to go to the nearest building or classroom.
 - b) If you cannot make it to a building or classroom, flee the area of the threat/danger and remain hidden until law enforcement can escort you safely to the proper evacuation location.
 7. The ICC (Incident Command Center) will be activated in the main office (District Office as a second location). The school site crisis team leaders will report to the ICC if possible.
 8. Evacuation Locations:
 1. **Primary: School Gymnasium**
 2. **Secondary: field (non-threat)**
 3. **Catholic Church: if campus must be evacuated***
 4. **Angels Gun Club: Bus evacuation if needed**

Once Angels Camp Police Department/Calaveras Sheriff Department arrives, they assume control of the situation until the emergency subsides. School administration will resume control when the school is deemed safe.

Angels Camp Police policy is to stop the intruder immediately.

9. Staff and students will be given further directions and information with the intercom system. The "ALL CLEAR" signal will be announced over the intercom system releasing students and staff to resume normal activity.
10. **In a Lockdown, the police or emergency responders will identify themselves, enter your classroom and direct to the proper evacuation location.**
11. **In case intruder enters classroom, fight with whatever you have at your disposal and evacuate students out the other door.**

Principal and staff must follow all instructions given by responding law enforcement.

Student Reunification Process:

After a Lock Down and the campus is secured by emergency response, all students are evacuated/relocated to the gymnasium. This location is for the process of student reunification with family by staff. The gymnasium will be secured from all media, family members and other visitors. Staff members will supervise the students within the gymnasium.

1. Students are seated in the gym until released to family.
2. Staff will set up parent reception location outside the gym towards the parking lot. Four tables will be designated corresponding to student's last name: A-F, G-L, M-R, S-Z.
3. Police, clergy, counseling, school administration will all be present at the reunification site.
4. Each table has a box with student contact information and release forms. Family members are required to have picture ID and complete a release form before the child will be released.
5. A staff member will be given the release form and get the child requested by staff members from the reception table. The family member will be directed to the side of the gym (field side) where the reunification process will take place. Once the student and family member are reunified, the reunification form will be signed and returned to staff. The staff runner will then recycle for another processing.
6. If the child is injured, deceased or missing, the family members will be brought into the gym through the Kitchen access door where they will be met by school administration in one of the team rooms. The family members will be notified of the status of their child at that time. One room for missing or injured students and the other team room for notification of next of kin.

Staff requirements and duties:

- School administration: supervises reunification site
- Office, Library, Kitchen Staff will work the reception tables
- Para Educators: act as staff runners
- Teachers: act to supervise students in holding area and work the release point
- All other school personnel will work by the direction of school administration as needed

See Student Release Form

Mark Twain Elementary

Student Release Form

Completed by Guardian/Requester at Request Table:

Please print

Student's Name: _____

Teacher (homeroom): _____ Grade: _____

Name of Adult Picking up Student: _____

Completed by Request Table Staff:

Proof of I.D.? (circle one) YES NO

Name of Guardian or Emergency Contact? (circle one) YES NO

Taken by Runner, to be completed by Holding Area Staff:

Student Status

Sent with Runner ☐ Absent ☐

First Aid ☐ Missing ☐

Comments:

* If student is absent/missing, runner takes to incident commander or assigned staff

* If student is located, runner accompanies student to release gate with form

Completed by Release Gate Staff:

Confirmed that student is being matched with adult noted above:

Photo I.D. checked ☐ OR verified with student ☐

Guardian/ Approved care giver Signature: _____

Date: _____ Time: _____ Staff Signature: _____

Comprehensive School Safety Plan

School District
Mark Twain Union Elementary School District
Section 3: Disaster Procedures
Part 10: Severe Windstorm Procedures

Severe Windstorm Procedures (page 1 of 1)

If a severe wind warning is received at a school or other District site, notify the District Superintendent immediately.

If a severe wind warning is received at the District Office, the District EOC should be activated.

In general, if severe winds are affecting a school or facility, employees and students should be moved to the interior core area of the building (inside wall on the ground floor) away from outside windows and doors.

Close all windows and blinds and avoid auditoriums, gymnasiums and other building locations with free-span roofs.

Reminder

Avoid all areas that have large concentrations of electrical equipment or power cables.

Comprehensive School Safety Plan

School District
Mark Twain Union Elementary School District
Section 3: Disaster Procedures
Part 11: Suspicious Mail/Packages

Suspicious Mail/Packages (page 1 of 2)

All incoming mail and packages should be handled with caution.

Below are indicators of suspicious mail and steps to take in the event that suspicious mail is received.

Mail that ...

- ... is unexpected or from an unfamiliar source
- ... has excessive postage
- ... is addressed to someone who no longer works in the District
- ... is addressed to a current employee but with the wrong title
- ... contains several misspelled words on the envelope
- ... marked with restrictive endorsements such as "Personal" or "Confidential"
- ... has no return address or an address that cannot be verified
- ... mail that is from a foreign country
- ... shows a city or state in the postmark that doesn't match the return address
- ... is lopsided, oddly shaped, or has an unusual weight, given its size
- ... has protruding wires, strange odors or stains
- ... has powdery substance on the outside
- ... has an unusual amount of tape on it
- ... is ticking or making unusual sounds

Not all mail comes perfectly packaged or with accurate information on it, so it is important that employees handling mail remain sensible in the screening of mail. However, prudent scrutiny conducted in a reasonable manner can greatly reduce the school's chances of becoming the victim of attack by mail.

Comprehensive School Safety Plan

School District
Mark Twain Union Elementary School District
Section 3: Disaster Procedures
Part 11: Suspicious Mail/Packages

Suspicious Mail/Packages (page 2 of 2)

What to do with suspicious mail (general response):

- Do not try to open the package or envelope.
- Do not sniff, taste or shake the package.
- Isolate the package.
- Evacuate the immediate area; close the door.
- Contact your supervisor and call 911.

Response to mail suspected of delivering biological/chemical agents in powder form:

- Do not open an envelope or package with powder on the outside.
- If powder is spilled from an envelope or package, do not try to clean up the powder.
- Cover the spilled contents immediately with anything (clothing, paper, trash can).
- Do not remove this cover.
- Leave the room and close the door or otherwise prevent access to the room.
- Wash your hands with soap and hot water.
- Ensure that everyone who had contact with the piece of mail washes his/her hands with soap and hot water.
- Notify your supervisor.
- Supervisor should immediately contact the local police (911) or the U.S. Postal Inspection Service (415-778-5800).
- Supervisor should notify the District Superintendent's Office.
- Remove heavily contaminated clothing as soon as possible and place inside a plastic bag or some other container that can be sealed. This clothing should be given to the responding emergency response units.
- Shower with soap and water as soon as possible. Do not use bleach or other disinfectant on your skin.
- Make a list of all the people who were in the room or area, especially those who had contact with the envelope or package. Provide this list to the emergency response teams investigating the incident.
- Investigators will remove the envelope or package and conduct a thorough check of the area for contamination.

- If you are prescribed medicine as a result of this exposure, take it until instructed or until it runs out.

Comprehensive School Safety Plan

School District
Mark Twain Union Elementary School District
Section 3: Disaster Procedures
Part 12: Medical Emergency

Medical Emergency

In the event of a medical emergency by faculty, staff member, or student the following procedures shall be followed.

- ❑ A member of the faculty, staff, or student should immediately get help by contacting the nurse or principal.
- ❑ **A staff member who is certified in first aid should assist the nurse in the medical emergency.**
- ❑ If the injured party can move, transport the injured to the nurse's office.
- ❑ If the injured party is unable to move, stabilize the body so that movement is limited.
- ❑ If necessary, call 9-1-1.
- ❑ The school's secretary will notify the parent(s), legal guardian(s) of the medical emergency.

Reminders

- If the student *has not* been transported to the hospital let the parent decide whether or not he/she wants the student taken to an emergency room and to which hospital he/she would like the student taken.
- Let the parent decide if he/she would rather come for the student and take him/her to the emergency room.
- If the student *has* been transported to the hospital assign a staff member to accompany the student to the hospital.
- Depending upon the nature of the medical emergency the news media may seek inquiries. The principal can refer all media inquiries to the District's Public Information Officer.

Comprehensive School Safety Plan

School District
Mark Twain Union Elementary School District
Section 3: Disaster Procedures
Part 13: School Bus Route Emergency

School Bus Route Emergency

In the event of an emergency during the time a school bus is en-route the driver will contact the District's Director of Transportation to report the bus location, number of students and guidelines on how to proceed with the transportation. The Director of Transportation will communicate the information to the Superintendent and principal. The Director of Transportation will follow the communication procedures outlined in this CSSP.

The following steps should be taken during a field trip.

1. Student authorization release forms should be kept on file in the school's main office.
2. Before a bus leaves with the students a list of riders for each bus will be left at the school. Riders are informed of their expectation to travel on the bus they are assigned (or the one in which roll is taken from).
3. A copy of the list is given to the chaperones.
4. Teachers will take roll prior to the bus departure.
5. If an accident occurs while en-route, the driver will contact the Director of Transportation informing the director of the accident, location, and number of students on board. The chaperone and/or teacher will contact emergency personnel if emergency medical treatment is needed. The chaperone and/or teacher will contact the principal informing the principal of the accident and any emergency care. The principal will contact the Superintendent of the bus accident and communicate any the names of any faculty or student who is receiving emergency care. In the event emergency care is given, the principal will contact the chaperon/teacher or student's primary contact. The principal will also use the rider list to notify parents of the accident.

Comprehensive School Safety Plan

School District
Mark Twain Union Elementary School District
Section 4: Notification of Dangerous Pupils
Part 1: Notifying Teachers of Dangerous Pupils

Notifying Teachers of Dangerous Pupils (page 1 of 3)

When the principal is aware that a student has caused or tried to cause another person serious bodily injury, or any injury that requires professional medical treatment, a separate and confidential file is created for that child. Information based upon written District records or records received from a law enforcement agency are contained in the file.

When such a student is assigned to a teacher's classroom, the principal shall provide the teacher with written notification. The teacher is asked to review the student's separate and confidential file in the office. Teachers are informed that such information is to be kept in strictest confidence and is to disseminate no further.

Excerpts from the California Education Code, the California Penal Code and Your School District Administrative Regulations are presented below.

From California Education Code Section 49079

- (a) (a) A school district shall inform the teacher of each pupil who has engaged in, or is reasonably suspected to have engaged in, any of the acts described in any of the subdivisions, except subdivision (h), of Section 48900 or in Section 48900.2, 48900.3, 48900.4, or 48900.7 that the pupil engaged in, or is reasonably suspected to have engaged in, those acts. The district shall provide the information to the teacher based upon any records that the district maintains in its ordinary course of business, or receives from a law enforcement agency, regarding a pupil described in this section.
- (b) (b) A school district, or school district officer or employee, is not civilly or criminally liable for providing information under this section unless it is proven that the information was false and that the district or district officer or employee knew or should have known that the information was false, or the information was provided with a reckless disregard for its truth or falsity.
- (c) (c) An officer or employee of a school district who knowingly fails to provide information about a pupil who has engaged in, or who is reasonably suspected to have engaged in, the acts referred to in subdivision (a) is guilty of a misdemeanor, which is punishable by confinement in the county jail for a period not to exceed six months, or by a fine not to exceed one thousand dollars (\$1,000), or both.

- (d) (d) For the 1994–95 school year, the information provided shall be from the previous two school years. For the 1996–97 school year and each school year thereafter, the information provided shall be from the previous three school years.
- (e) (e) Any information received by a teacher pursuant to this section shall be received in confidence for the limited purpose for which it was provided and shall not be further disseminated by the teacher.

Comprehensive School Safety Plan

School District
Mark Twain Union Elementary School District
Section 4: Notification of Dangerous Pupils
Part 1: Notifying Teachers of Dangerous Pupils

Notifying Teachers of Dangerous Pupils (page 2 of 3)

From California Penal Code Section 243(e) – Paragraphs 5 and 6

- (5) ... “Injury” means any physical injury, which requires professional medical treatment.
- (6) ... “Custodial Officer” means any person who has the responsibilities and duties and who is employed by a law enforcement agency of the city or county or who performs those duties as a volunteer.

Notice Regarding Student Crimes and Offenses

The Superintendent or designee shall inform the teacher of every student who has engages in, or is reasonably suspected to have engaged in, any act during the previous three years, which could constitute grounds for suspension or expulsion, with the exception of the possession or use of tobacco products. This information shall be based upon written district records or records received from a law enforcement agency. (California Education Code 49079).

When informed pursuant to Welfare and Institutions Code 828.1 that a student has committed crimes unrelated to school attendance which do not therefore constitute grounds for suspension or expulsion, the Superintendent or designee may so inform any teacher, counselor or administrator whom he/she believes needs this information in order to work with the student appropriately, avoid being needlessly vulnerable, or protect others from needless vulnerability. The Superintendent or designee shall consult with the principal of the school, which the student attends in order to identify staff that should be so informed. (California Welfare and Institutions Code 828.1).

Teachers shall receive the above information in confidence and disseminate it no further.

(California Education Code 49079, California Welfare and Institutions Code 828.1).

The principal or designee shall maintain the above information in a separate confidential file for each student. When such a student is assigned to a class/program, the principal or designee shall notify the teacher in writing and ask the teacher to initial this notice, return it to the principal or designee, and

review the student's file in the school office. This notification shall not name or otherwise identify the student.

The principal or designee shall notify all certificated personnel who are likely to come into contact with the student, including the student's homeroom or classroom teachers, special education teachers, coaches and counselors.

Comprehensive School Safety Plan

School District
Mark Twain Union Elementary School District
Section 4: Notification of Dangerous Pupils
Part 1: Notifying Teachers of Dangerous Pupils

Notifying Teachers of Dangerous Pupils (page 3 of 3)

The teacher shall initial the student's file when reviewing it in the school office. Once the district has made a good faith effort to comply with the notification requirement of Education Code 49079, a teacher's failure to review the file may be construed as a waiver of the district's liability.

Comprehensive School Safety Plan

School District
Mark Twain Union Elementary School District
Section 5: Suspension and Expulsion/Due Process
Board Policy 5144.1 Administrative Regulation 5144.1

Board Policy 5144.1

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

(cf. 5131 - Conduct)

(cf. 5131.1 - Bus Conduct)

(cf. 5131.2 - Bullying)

The grounds for suspension and expulsion and the procedures for considering, recommending, and/or implementing suspension and expulsion shall be only those specified in law, in this policy, and in the accompanying administrative regulation.

Except when otherwise permitted by law, a student may be suspended or expelled only when his/her behavior is related to a school activity or school attendance occurring within any district school or another school district, regardless of when it occurs, including, but not limited to, the following: (Education Code 48900(s))

1. While on school grounds
2. While going to or coming from school
3. During the lunch period, whether on or off the school campus

(cf. 5112.5 - Open/Closed Campus)

4. During, going to, or coming from a school-sponsored activity

District staff shall enforce the rules concerning suspension and expulsion of students fairly, consistently, equally, and in accordance with the district's nondiscrimination policies.

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

Appropriate Use of Suspension Authority

Except when a student's act violates Education Code 48900(a)-(e), as listed in items #1-5 under "Grounds for Suspension and Expulsion: Grades K-12" of the accompanying administrative regulation, or when his/her presence causes a danger to others, suspension shall be used only when other means of correction have failed to bring about proper conduct. (Education Code 48900.5, 48900.6)

(cf. 1020 - Youth Services)

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5144 - Discipline)

(cf. 6142.4 - Service Learning/Community Service Classes)

(cf. 6164.2 - Guidance/Counseling Services)

(cf. 6164.5 - Student Success Teams)

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

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

Students shall not be suspended or expelled for truancy, tardiness, or absenteeism from assigned school activities.

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Chronic Absence and Truancy)

On-Campus Suspension

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

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

Authority to Expel

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

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

1. Possessing a firearm which is not an imitation firearm, as verified by a certificated employee, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence

(cf. 5131.7 - Weapons and Dangerous Instruments)

2. Selling or otherwise furnishing a firearm

3. Brandishing a knife at another person

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

5. Committing or attempting to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committing a sexual battery as defined in Penal Code 243.4

6. Possessing an explosive as defined in 18 USC 921

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

1. That other means of correction are not feasible or have repeatedly failed to bring about proper conduct

2. That due to the nature of the violation, the presence of the student causes a continuing danger to the physical safety of the student or others

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

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

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

Due Process

The Board shall provide for the fair and equitable treatment of students facing suspension and/or expulsion by affording them their due process rights under the law. The Superintendent or designee shall comply with procedures for notices, hearings, and appeals as specified in law and administrative regulation. (Education Code 48911, 48915, 48915.5, 48918)

(cf. 5119 - Students Expelled from Other Districts)

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

Maintenance and Monitoring of Outcome Data

The Superintendent or designee shall annually present to the Board a report of the outcome data which the district is required to collect pursuant to Education Code 48900.8 and 48916.1, including the number of students recommended for expulsion, the grounds for each recommended expulsion, the actions taken by the Board, the types of referral made after each expulsion, and the disposition of the students after the expulsion period.

The report shall be disaggregated by school and by numerically significant student subgroups, including, but not limited to, ethnic subgroups, socioeconomically disadvantaged students, English learners, foster youth, and students with disabilities. The report also shall include information about whether and how the district is meeting its goals for improving school climate as specified in its local control and accountability plan.

(cf. 0460 - Local Control and Accountability Plan)

Administrative Regulation 5144.1

Definitions

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

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

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

Notice of Regulations

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

(cf. 5144 - Discipline)

(cf. 5145.6 - Parental Notifications)

Grounds for Suspension and Expulsion: Grades K-8

Acts for which a student, including a student with disabilities, may be suspended or expelled shall be only those specified as follows:

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

1. Caused, attempted to cause, or threatened to cause physical injury to another person; willfully used force or violence upon another person, except in self-defense; or committed as an aider or abettor, as adjudged by a juvenile court, a crime of physical violence in which the victim suffered great or serious bodily injury (Education Code 48900(a) and (t))

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

(cf. 5131 - Conduct)

(cf. 5131.7 - Weapons and Dangerous Instruments)

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

(cf. 5131.6 - Alcohol and Other Drugs)

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

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

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

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

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

(cf. 5131.62 - Tobacco)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(cf. 1114 - District-Sponsored Social Media)

(cf. 5131.2 - Bullying)

(cf. 6163.4 - Student Use of Technology)

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

(cf. 6164.6 - Identification and Education under Section 504)

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

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

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

Additional Grounds for Suspension and Expulsion: Grades 4-8

A student in grades 4-8 shall be subject to suspension or recommendation for expulsion when it is determined that he/she:

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

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

(cf. 5145.7 - Sexual Harassment)

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

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

(cf. 5145.9 - Hate-Motivated Behavior)

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

(cf. 5145.3 - Nondiscrimination/Harassment)

Suspension from Class by a Teacher

A teacher may suspend a student, including a grade K-3 student, from class for the remainder of the day and the following day for any of the other acts specified in Education Code 48900 and listed as items #1-18 under "Grounds for Suspension and Expulsion: Grades K-8" above. (Education Code 48910)

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

As soon as possible after the teacher decides to suspend the student, he/she shall ask the student's parent/guardian to attend a parent-teacher conference regarding the suspension. A counselor or psychologist may attend the conference if it is practicable,

and a school administrator shall attend if either the parent/guardian or teacher so requests. (Education Code 48910)

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

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

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

Suspension by Superintendent, Principal or Principal's Designee

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

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

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

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

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

(cf. 5125 - Student Records)

Length of Suspension

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

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

(cf. 6184 - Continuation Education)

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

Due Process Procedures for Suspension

Suspensions shall be imposed in accordance with the following procedures:

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

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

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

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

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

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

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

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

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

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

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

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

(cf. 6173.1 - Education for Foster Youth)

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

(cf. 6173 - Education for Homeless Children)

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

On-Campus Suspension

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

1. The on-campus suspension classroom shall be staffed in accordance with law.
2. The student shall have access to appropriate counseling services.
3. The on-campus suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.
4. The student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom. The teacher(s) shall provide all assignments and tests that the student will miss while suspended. If no such work is assigned, the person supervising the suspension classroom shall assign schoolwork.

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

Superintendent or Principal's Authority to Recommend Expulsion

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

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

2. Possession of any knife or other dangerous object of no reasonable use to the student
3. Unlawful possession of any controlled substance as listed in Health and Safety Code 11053-11058, except for (a) the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis, or (b) the student's possession of over-the-counter medication for his/her use or other medication prescribed for him/her by a physician
4. Robbery or extortion
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee

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

Student's Right to Expulsion Hearing

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

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

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

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

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

Stipulated Expulsion

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

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

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

Rights of Complaining Witness

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

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

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

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

Written Notice of the Expulsion Hearing

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

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

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

(cf. 5119 - Students Expelled from Other Districts)

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

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

Non-attorney adviser means an individual who is not an attorney or lawyer, but who is familiar with the facts of the case and has been selected by the student or student's parent/guardian to provide assistance at the hearing.

6. The right to inspect and obtain copies of all documents to be used at the hearing
7. The opportunity to confront and question all witnesses who testify at the hearing
8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf, including witnesses

Additional Notice of Expulsion Hearing for Foster Youth and Homeless Students

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

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

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

Conduct of Expulsion Hearing

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(3) The person conducting the hearing may:

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

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

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

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

Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

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

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

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

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

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

Final Action by the Board

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

(cf. 9321.1 - Closed Session Actions and Reports)

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

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

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

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

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

Written Notice to Expel

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

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed above under "Grounds for Suspension and Expulsion:

Grades K-12" or "Additional Grounds for Suspension and Expulsion: Grades 4-12"
(Education Code 48900.8)

2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Board (Education Code 48918)
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion (Education Code 48918)
5. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1 (Education Code 48918)

Decision to Suspend Expulsion Order

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

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

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

1. The Board may, as a condition of the suspension of enforcement, assign the student to a school, class, or program appropriate for the student's rehabilitation. This rehabilitation program may provide for the involvement of the student's parent/guardian in the student's education. However, a parent/guardian's refusal to participate in the rehabilitation program shall not be considered in the Board's determination as to whether the student has satisfactorily completed the rehabilitation program. (Education Code 48917)
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status. (Education Code 48917)
3. The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion: Grades K-18" or "Additional Grounds for Suspension and Expulsion: Grades

4-12" above or violates any of the district's rules and regulations governing student conduct. (Education Code 48917)

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

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

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

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

Appeal

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

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

Notification to Law Enforcement Authorities

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

The principal or designee also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or

of a controlled substance. In addition, law enforcement authorities shall be notified regarding any acts by students regarding the possession, sale, or furnishing of firearms, explosives, or other dangerous weapons in violation of Education Code 48915(c)(1) or (5) or Penal Code 626.9 and 626.10. (Education Code 48902)

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

Placement During Expulsion

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

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

(cf. 6158 - Independent Study)

(cf. 6185 - Community Day School)

When the placement described above is not available and when the County Superintendent so certifies, students expelled for only acts described in items #6-12 under "Grounds for Suspension and Expulsion: Grades K-8" and items #1-3 under "Additional Grounds for Suspension and Expulsion: Grades 4-8" above may be referred to a program of study that is provided at another comprehensive middle, junior, or senior high school or at an elementary school. (Education Code 48915)

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

Readmission After Expulsion

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

1. The Superintendent or designee shall hold a conference with the parent/guardian and the student. At the conference, the student's rehabilitation plan

shall be reviewed and the Superintendent or designee shall verify that the provisions of this plan have been met. School regulations shall be reviewed and the student and parent/guardian shall be asked to indicate in writing their willingness to comply with these regulations.

2. The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session. If a written request for open session is received from the parent/guardian or adult student, it shall be honored to the extent that privacy rights of other students are not violated.

3. If the readmission is granted, the Superintendent or designee shall notify the student and parent/guardian, by registered mail, of the Board's decision regarding readmission.

4. The Board may deny readmission only if it finds that the student has not satisfied the conditions of the rehabilitation plan or that the student continues to pose a danger to campus safety or to other district students or employees. (Education Code 48916)

5. If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school.

6. The Board shall provide written notice to the expelled student and parent/guardian describing the reasons for denying readmittance into the regular program. This notice shall indicate the Board's determination of the educational program which the Board has chosen. The student shall enroll in that program unless the parent/guardian chooses to enroll the student in another school district. (Education Code 48916)

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

Maintenance of Records

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

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

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

(cf. 5119 - Students Expelled from Other Districts)

Regulation MARK TWAIN UNION ELEMENTARY SCHOOL DISTRICT

approved: May 21, 2015 Angels Camp, California

Comprehensive School Safety Plan

School District
Mark Twain Union Elementary School District
Section 6 : Sexual Harassment Policy
Board Policy 5145.7 Administrative Regulation 4119.11, 4219.11, 4319.11

Board Policy 5145.7

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

The district strongly encourages any student who feels that he/she is being or has been sexually harassed on school grounds or at a school-sponsored or school-related activity by another student or an adult who has experienced off-campus sexual harassment that has a continuing effect on campus to immediately contact his/her teacher, the principal, or any other available school employee. Any employee who receives a report or observes an incident of sexual harassment shall notify the principal or a district compliance officer. Once notified, the principal or compliance officer shall take the steps to investigate and address the allegation, as specified in the accompanying administrative regulation.

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

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5141.4 - Child Abuse Prevention and Reporting)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 6142.1 - Sexual Health and HIV/ AIDS Prevention Instruction)

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

Instruction/Information

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

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

Complaint Process and Disciplinary Actions

Sexual harassment complaints by and against students shall be investigated and resolved in accordance with law and district procedures specified in AR 1312.3 - Uniform Complaint Procedures. Principals are responsible for notifying students and

parents/guardians that complaints of sexual harassment can be filed under AR 1312.3 and where to obtain a copy of the procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

Upon investigation of a sexual harassment complaint, any student found to have engaged in sexual harassment or sexual violence in violation of this policy shall be subject to disciplinary action. For students in grades 4-8, disciplinary action may include suspension and/or expulsion, provided that, in imposing such discipline, the entire circumstances of the incident(s) shall be taken into account.

(cf. 5144 - Discipline)

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

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

Upon investigation of a sexual harassment complaint, any employee found to have engaged in sexual harassment or sexual violence toward any student shall have his/her employment terminated in accordance with law and the applicable collective bargaining agreement.

(cf. 4117.7 - Employment Status Report)

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

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

(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

Record-Keeping

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

(cf. 3580 - District Records)

Administrative Regulation 4119.11

This administrative regulation shall apply to all allegations of sexual harassment involving employees, interns, volunteers, and job applicants, but shall not be used to resolve any complaint by or against a student.

Definitions

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature made against another person of the same or opposite sex in the work or educational setting when: (Education Code 212.5; Government Code 12940; 2 CCR 11034)

1. Submission to the conduct is made explicitly or implicitly a term or condition of the individual's employment.
2. Submission to or rejection of the conduct is used as the basis for an employment decision affecting the individual.
3. Submission to or rejection of the conduct is used as the basis for any decision affecting the individual regarding benefits, services, honors, programs, or activities available at or through the district.

Prohibited sexual harassment also includes conduct which, regardless of whether or not it is motivated by sexual desire, is so severe or pervasive as to unreasonably interfere with the victim's work performance or create an intimidating, hostile, or offensive work environment.

Examples of actions that might constitute sexual harassment in the work or educational setting, whether committed by a supervisor, a co-worker, or a non-employee, include, but are not limited to:

1. Unwelcome verbal conduct such as sexual flirtations or propositions; graphic comments about an individual's body; overly personal conversations or pressure for sexual activity; sexual jokes or stories; unwelcome sexual slurs, epithets, threats, innuendoes, derogatory comments, sexually degrading descriptions, or the spreading of sexual rumors
2. Unwelcome visual conduct such as drawings, pictures, graffiti, or gestures; sexually explicit emails; displaying sexually suggestive objects
3. Unwelcome physical conduct such as massaging, grabbing, fondling, stroking, or brushing the body; touching an individual's body or clothes in a sexual way; cornering, blocking, leaning over, or impeding normal movements

Training

The Superintendent or designee shall ensure that all employees receive training regarding the district's sexual harassment policies when hired and periodically thereafter. The training shall include the procedures for reporting and/or filing complaints involving an employee, employees' duty to use the district's complaint procedures, and employee obligations when a sexual harassment report involving a student is made to the employee.

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 4030 - Nondiscrimination in Employment)

(cf. 5145.7 - Sexual Harassment)

Every two years, the Superintendent or designee shall ensure that supervisory employees receive at least two hours of classroom or other effective interactive training and education regarding sexual harassment. All such newly hired or promoted employees shall receive training within six months of their assumption of the new position. (Government Code 12950.1)

A supervisory employee is any employee having the authority, in the interest of the district, to hire, transfer, suspend, lay off, promote, discharge, assign, reward, or discipline other employees, or the responsibility to direct them, adjust their grievances, or effectively recommend such action, when the exercise of the authority is not of a merely routine or clerical nature, but requires the use of independent judgment. (Government Code 12926)

(cf. 4300 - Administrative and Supervisory Personnel)

The district's sexual harassment training and education program for supervisory employees shall be aimed at assisting them in preventing and effectively responding to incidents of sexual harassment, as well as implementing mechanisms to promptly address and correct wrongful behavior. The training shall include, but is not limited to, the following: (Government Code 12950.1; 2 CCR 11024)

1. Information and practical guidance regarding federal and state laws on the prohibition, prevention, and correction of sexual harassment, the remedies available to sexual harassment victims in civil actions, and potential district and/or individual exposure or liability
2. The types of conduct that constitute sexual harassment and practical examples which illustrate sexual harassment, discrimination, and retaliation using training modalities such as role plays, case studies, and group discussions, based on factual

scenarios taken from case law, news and media accounts, and hypotheticals based on workplace situations and other sources

3. A supervisor's obligation to report sexual harassment, discrimination, and retaliation of which he/she becomes aware and what to do if the supervisor himself/herself is personally accused of harassment
4. Strategies for preventing harassment, discrimination, and retaliation and appropriate steps to ensure that remedial measures are taken to correct harassing behavior, including an effective process for investigation of a complaint
5. The essential elements of the district's anti-harassment policy, including the limited confidentiality of the complaint process and resources for victims of unlawful sexual harassment, such as to whom they should report any alleged sexual harassment, and how to use the policy if a harassment complaint is filed
6. A copy of the district's sexual harassment policy and administrative regulation, which each participant shall acknowledge in writing that he/she has received
7. The definition and prevention of abusive conduct that addresses the use of derogatory remarks, insults, or epithets, other verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, and the gratuitous sabotage or undermining of a person's work performance

The Superintendent or designee shall retain for at least two years the records of any training provided to supervisory employees. Such records shall include the names of trained employees, date of the training, the type of training, and the name of the training provider. (2 CCR 11024)

Notifications

A copy of the Board policy and this administrative regulation shall: (Education Code 231.5)

1. Be displayed in a prominent location in the main administrative building, district office, or other area of the school where notices of district rules, regulations, procedures, and standards of conduct are posted
2. Be provided to every district employee at the beginning of the first quarter or semester of the school year or whenever a new employee is hired

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

3. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct

All employees shall receive either a copy of information sheets prepared by the California Department of Fair Employment and Housing (DFEH) or a copy of district information sheets that contain, at a minimum, components on: (Government Code 12950)

1. The illegality of sexual harassment
2. The definition of sexual harassment under applicable state and federal law
3. A description of sexual harassment, with examples
4. The district's complaint process available to the employee
5. The legal remedies and complaint process available through DFEH and the Equal Employment Opportunity Commission (EEOC)
6. Directions on how to contact DFEH and the EEOC
7. The protection against retaliation provided by 2 CCR 11021 for opposing harassment prohibited by law or for filing a complaint with or otherwise participating in an investigation, proceeding, or hearing conducted by DFEH and the EEOC

In addition, the district shall post, in a prominent and accessible location, DFEH's poster on discrimination in employment and the illegality of sexual harassment. (Government Code 12950)

Regulation MARK TWAIN UNION ELEMENTARY SCHOOL DISTRICT

approved: April 9, 2015 Angels Camp, California

revised: January 12, 2017

Administrative Regulation 4219.11

This administrative regulation shall apply to all allegations of sexual harassment involving employees, interns, volunteers, and job applicants, but shall not be used to resolve any complaint by or against a student.

Definitions

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature made against another person of the same or opposite sex in the work or educational setting when: (Education Code 212.5; Government Code 12940; 2 CCR 11034)

1. Submission to the conduct is made explicitly or implicitly a term or condition of the individual's employment.
2. Submission to or rejection of the conduct is used as the basis for an employment decision affecting the individual.
3. Submission to or rejection of the conduct is used as the basis for any decision affecting the individual regarding benefits, services, honors, programs, or activities available at or through the district.

Prohibited sexual harassment also includes conduct which, regardless of whether or not it is motivated by sexual desire, is so severe or pervasive as to unreasonably interfere with the victim's work performance or create an intimidating, hostile, or offensive work environment.

Examples of actions that might constitute sexual harassment in the work or educational setting, whether committed by a supervisor, a co-worker, or a non-employee, include, but are not limited to:

1. Unwelcome verbal conduct such as sexual flirtations or propositions; graphic comments about an individual's body; overly personal conversations or pressure for sexual activity; sexual jokes or stories; unwelcome sexual slurs, epithets, threats, innuendoes, derogatory comments, sexually degrading descriptions, or the spreading of sexual rumors
2. Unwelcome visual conduct such as drawings, pictures, graffiti, or gestures; sexually explicit emails; displaying sexually suggestive objects
3. Unwelcome physical conduct such as massaging, grabbing, fondling, stroking, or brushing the body; touching an individual's body or clothes in a sexual way; cornering, blocking, leaning over, or impeding normal movements

Training

The Superintendent or designee shall ensure that all employees receive training regarding the district's sexual harassment policies when hired and periodically thereafter. The training shall include the procedures for reporting and/or filing complaints involving an employee, employees' duty to use the district's complaint procedures, and employee obligations when a sexual harassment report involving a student is made to the employee.

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 4030 - Nondiscrimination in Employment)

(cf. 5145.7 - Sexual Harassment)

Every two years, the Superintendent or designee shall ensure that supervisory employees receive at least two hours of classroom or other effective interactive training and education regarding sexual harassment. All such newly hired or promoted employees shall receive training within six months of their assumption of the new position. (Government Code 12950.1)

A supervisory employee is any employee having the authority, in the interest of the district, to hire, transfer, suspend, lay off, promote, discharge, assign, reward, or discipline other employees, or the responsibility to direct them, adjust their grievances, or effectively recommend such action, when the exercise of the authority is not of a merely routine or clerical nature, but requires the use of independent judgment. (Government Code 12926)

(cf. 4300 - Administrative and Supervisory Personnel)

The district's sexual harassment training and education program for supervisory employees shall be aimed at assisting them in preventing and effectively responding to incidents of sexual harassment, as well as implementing mechanisms to promptly address and correct wrongful behavior. The training shall include, but is not limited to, the following: (Government Code 12950.1; 2 CCR 11024)

1. Information and practical guidance regarding federal and state laws on the prohibition, prevention, and correction of sexual harassment, the remedies available to sexual harassment victims in civil actions, and potential district and/or individual exposure or liability
2. The types of conduct that constitute sexual harassment and practical examples which illustrate sexual harassment, discrimination, and retaliation using training modalities such as role plays, case studies, and group discussions, based on factual

scenarios taken from case law, news and media accounts, and hypotheticals based on workplace situations and other sources

3. A supervisor's obligation to report sexual harassment, discrimination, and retaliation of which he/she becomes aware and what to do if the supervisor himself/herself is personally accused of harassment
4. Strategies for preventing harassment, discrimination, and retaliation and appropriate steps to ensure that remedial measures are taken to correct harassing behavior, including an effective process for investigation of a complaint
5. The essential elements of the district's anti-harassment policy, including the limited confidentiality of the complaint process and resources for victims of unlawful sexual harassment, such as to whom they should report any alleged sexual harassment, and how to use the policy if a harassment complaint is filed
6. A copy of the district's sexual harassment policy and administrative regulation, which each participant shall acknowledge in writing that he/she has received
7. The definition and prevention of abusive conduct that addresses the use of derogatory remarks, insults, or epithets, other verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, and the gratuitous sabotage or undermining of a person's work performance

The Superintendent or designee shall retain for at least two years the records of any training provided to supervisory employees. Such records shall include the names of trained employees, date of the training, the type of training, and the name of the training provider. (2 CCR 11024)

Notifications

A copy of the Board policy and this administrative regulation shall: (Education Code 231.5)

1. Be displayed in a prominent location in the main administrative building, district office, or other area of the school where notices of district rules, regulations, procedures, and standards of conduct are posted
2. Be provided to every district employee at the beginning of the first quarter or semester of the school year or whenever a new employee is hired

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

3. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct

All employees shall receive either a copy of information sheets prepared by the California Department of Fair Employment and Housing (DFEH) or a copy of district information sheets that contain, at a minimum, components on: (Government Code 12950)

1. The illegality of sexual harassment
2. The definition of sexual harassment under applicable state and federal law
3. A description of sexual harassment, with examples
4. The district's complaint process available to the employee
5. The legal remedies and complaint process available through DFEH and the Equal Employment Opportunity Commission (EEOC)
6. Directions on how to contact DFEH and the EEOC
7. The protection against retaliation provided by 2 CCR 11021 for opposing harassment prohibited by law or for filing a complaint with or otherwise participating in an investigation, proceeding, or hearing conducted by DFEH and the EEOC

In addition, the district shall post, in a prominent and accessible location, DFEH's poster on discrimination in employment and the illegality of sexual harassment. (Government Code 12950)

Regulation MARK TWAIN UNION ELEMENTARY SCHOOL DISTRICT

approved: April 9, 2015 Angels Camp, California

revised: January 12, 2017

Administrative Regulation 4319.11

This administrative regulation shall apply to all allegations of sexual harassment involving employees, interns, volunteers, and job applicants, but shall not be used to resolve any complaint by or against a student.

Definitions

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature made against another person of the same or opposite sex in the work or educational setting when: (Education Code 212.5; Government Code 12940; 2 CCR 11034)

1. Submission to the conduct is made explicitly or implicitly a term or condition of the individual's employment.
2. Submission to or rejection of the conduct is used as the basis for an employment decision affecting the individual.
3. Submission to or rejection of the conduct is used as the basis for any decision affecting the individual regarding benefits, services, honors, programs, or activities available at or through the district.

Prohibited sexual harassment also includes conduct which, regardless of whether or not it is motivated by sexual desire, is so severe or pervasive as to unreasonably interfere with the victim's work performance or create an intimidating, hostile, or offensive work environment.

Examples of actions that might constitute sexual harassment in the work or educational setting, whether committed by a supervisor, a co-worker, or a non-employee, include, but are not limited to:

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3. Unwelcome physical conduct such as massaging, grabbing, fondling, stroking, or brushing the body; touching an individual's body or clothes in a sexual way; cornering, blocking, leaning over, or impeding normal movements

Training

The Superintendent or designee shall ensure that all employees receive training regarding the district's sexual harassment policies when hired and periodically thereafter. The training shall include the procedures for reporting and/or filing complaints involving an employee, employees' duty to use the district's complaint procedures, and employee obligations when a sexual harassment report involving a student is made to the employee.

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 4030 - Nondiscrimination in Employment)

(cf. 5145.7 - Sexual Harassment)

Every two years, the Superintendent or designee shall ensure that supervisory employees receive at least two hours of classroom or other effective interactive training and education regarding sexual harassment. All such newly hired or promoted employees shall receive training within six months of their assumption of the new position. (Government Code 12950.1)

A supervisory employee is any employee having the authority, in the interest of the district, to hire, transfer, suspend, lay off, promote, discharge, assign, reward, or discipline other employees, or the responsibility to direct them, adjust their grievances, or effectively recommend such action, when the exercise of the authority is not of a merely routine or clerical nature, but requires the use of independent judgment. (Government Code 12926)

(cf. 4300 - Administrative and Supervisory Personnel)

The district's sexual harassment training and education program for supervisory employees shall be aimed at assisting them in preventing and effectively responding to incidents of sexual harassment, as well as implementing mechanisms to promptly address and correct wrongful behavior. The training shall include, but is not limited to, the following: (Government Code 12950.1; 2 CCR 11024)

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scenarios taken from case law, news and media accounts, and hypotheticals based on workplace situations and other sources

3. A supervisor's obligation to report sexual harassment, discrimination, and retaliation of which he/she becomes aware and what to do if the supervisor himself/herself is personally accused of harassment
4. Strategies for preventing harassment, discrimination, and retaliation and appropriate steps to ensure that remedial measures are taken to correct harassing behavior, including an effective process for investigation of a complaint
5. The essential elements of the district's anti-harassment policy, including the limited confidentiality of the complaint process and resources for victims of unlawful sexual harassment, such as to whom they should report any alleged sexual harassment, and how to use the policy if a harassment complaint is filed
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7. The definition and prevention of abusive conduct that addresses the use of derogatory remarks, insults, or epithets, other verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, and the gratuitous sabotage or undermining of a person's work performance

The Superintendent or designee shall retain for at least two years the records of any training provided to supervisory employees. Such records shall include the names of trained employees, date of the training, the type of training, and the name of the training provider. (2 CCR 11024)

Notifications

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2. Be provided to every district employee at the beginning of the first quarter or semester of the school year or whenever a new employee is hired

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

3. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct

All employees shall receive either a copy of information sheets prepared by the California Department of Fair Employment and Housing (DFEH) or a copy of district information sheets that contain, at a minimum, components on: (Government Code 12950)

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3. A description of sexual harassment, with examples
4. The district's complaint process available to the employee
5. The legal remedies and complaint process available through DFEH and the Equal Employment Opportunity Commission (EEOC)
6. Directions on how to contact DFEH and the EEOC
7. The protection against retaliation provided by 2 CCR 11021 for opposing harassment prohibited by law or for filing a complaint with or otherwise participating in an investigation, proceeding, or hearing conducted by DFEH and the EEOC

In addition, the district shall post, in a prominent and accessible location, DFEH's poster on discrimination in employment and the illegality of sexual harassment. (Government Code 12950)

Regulation MARK TWAIN UNION ELEMENTARY SCHOOL DISTRICT

approved: April 9, 2015 Angels Camp, California

revised: January 12, 2017

Comprehensive School Safety Plan

School District
Mark Twain Union Elementary School District
Section 7: School Dress and Grooming
Part 1 : Student Rules for Dress and Grooming

DRESS AND GROOMING

The Mark Twain Elementary School Districts dress code is designed to promote a learning environment that is free of distractions.

If any dress or grooming not outlined below presents a disruption of the learning environment, the staff reserves the right to prohibit it.

1. Any accessories that are considered to be hazardous to students are prohibited.
2. Students are not allowed to possess or use aerosol cans at school or at a school-related function.
3. Shoes must be worn at all times. Sandals are permitted only if they have a heel strap. "Flip flops" are not permitted. Students must wear appropriate shoes and attire for P.E.
4. Commercial lettering or printing will be allowed on shirts, sweatshirts, jackets, book-bags, hats, etc. Under the following conditions: The lettering or printing on a student's shirt, sweatshirt, jacket, hat, book-bag, etc. may not offend others or:
 - a) Express or display crude or vulgar statements or pictures.
 - b) Encourage or promote the illegal use or possession of drugs.
 - c) Encourage or promote the use of alcohol or tobacco.
 - d) Encourage or promote gang-related activities.
 - e) Encourage or promote the association or membership with a gang.
 - f) Encourage or promote sexually suggestive or pornographic material.
 - g) Make, imply, or infer derogatory or inflammatory comments against any racial, ethnic, political, national, gender, or religious association.
5. Students may wear outfits recognizing his or her association with a particular organization on the day that organization meets or participates in an activity as long as the student's presence at school with the outfit or uniform is not offensive to others, and does not cause a disruption to the educational process or a risk of harm to students or staff.
6. Hats, caps, and other types of head coverings will not be worn inside buildings. Bandanas are not to be worn. Head coverings worn for religious reasons will be exempted. Baseball-style hats shall be worn with the bill forward.

7. Garments shall be sufficient to conceal undergarments at all times and pants must be worn at the waist. Clothing shall be what is generally considered to be in good taste and not distracting, disruptive or offensive to others.

a) No bare midriffs. No low-cut or revealing tops. No “off the shoulder” blouses.

Shirts/tops must touch the top of the pants/shorts. However, longer shirts/tops must be worn for PE and/or recess games.

b) No jeans may be worn that is cut-off, ragged or torn.

c) “See through” or “fish net” type of blouse or shirt may only be worn over another appropriate garment.

d) Students must wear shirts at all times.

e) Tank tops straps must be at least two inches width of your shoulder with a modest sleeve opening.

8. Shorts and skirts may not be any shorter than the end of the fingertips when hands are at the sides.

9. Students will be provided a cover-up when wearing inappropriate attire and parent contact will be made.

Comprehensive School Safety Plan

School District
Mark Twain Union Elementary School District
Section 8: Safe Ingress and Egress
Part 1: Safe Ingress and Egress

Safe Ingress and Egress (page 1 of 1)

Mark Twain Elementary School takes pride in being part of a school district that has a mission to provide a safe environment for all students, parents, and school employees. Our School will take measures to ensure safe ingress and egress to and from the school for pupils, parents, and school employees. Safe ingress and egress will be maintained by periodic reviews of the procedures for ingress and egress. The school will ensure that all passageways to and from school buildings, corridors within school buildings and emergency exits remain clear of all obstruction to allow flow of pedestrian and vehicular traffic. The school will also ensure that potential obstructions and hazards are removed from such areas. To achieve this goal, the school works closely with local law enforcement agencies and the city of Angels Camp to ensure that the school's immediate community is safe.

The principal and members of the school's safety committee will survey the surrounding community for the purpose of determining and recommending safe routes to and from school. **Particular attention will be given to busy streets and major thoroughfares that are used by students, parents, and staff as they proceed to and from school.**

It will be the responsibility of the principal and members of the school safety committee to give attention to the following;

1. **Designated pedestrian crosswalks in the school community are located at Stanislaus Ave. & San Joaquin Ave. and Stanislaus Ave. & Badger Court & front and gym parking lots.**
2. Busy signal cross streets adjacent to the school and school attendance areas.
3. Danger zones including busy shopping areas, businesses, hospitals, narrow alleyways, streets with limited visibility to approaching traffic, etc.
4. The safest thoroughfares and/or recommended routes to and from school.

While it is the intent of the principal and school safety committee to recommend a safe route(s) to and from school the principal and school safety committee members may not live in the community around the school. Therefore, it is the responsibility of parents and students to assess and use routes to and from school, which the parents and student believe is safe.

Comprehensive School Safety Plan

School District
Mark Twain Union Elementary School District
Section 8: Safe Ingress and Egress
Part 2: Visitors on Campus

Visitors on Campus (page 1 of 1)

The following procedures are to be followed in order to maintain a safe environment for students and staff at **Mark Twain Elementary School**,

- All visitors are to check into the office and sign in
- Visitors will be issued a colorful badge that indicates they are checked into the office
- Visitors will return the badge to the office at the end of their visit
- Staff will ask all visitors without badges to check into the office or staff will notify the office for assistance
- **Police services will be called upon in the event any visitor is not complying with posted regulations**

Comprehensive School Safety Plan

School District
Mark Twain Union Elementary School District
Section 9: Rules and Procedures of School Discipline
Part 1: General Information

GENERAL SCHOOL INFORMATION

VISITORS

In order to have the safest possible campuses, all visitors and volunteers must check in at the school office. Visitor badges will be provided.

EMERGENCY EARLY DISMISSAL

When the Superintendent deems it is in the best interests of student health and safety to close school early, parents will be notified by phone. If we are unable to contact parents, we will hold students until normal dismissal or until parents are contacted. Students will not be sent home early to empty houses without the direction of their respective parents or guardians.

TOBACCO-FREE WORKPLACE

Effectively July 1, 1992, the Mark Twain Union Elementary School District is a tobacco-free workplace. Smoking, vaping, and other tobacco use is prohibited anywhere on school district property, indoors or out.

NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES

The Governing Board is committed to providing equal opportunity for all individuals in education. District programs, activities, and practices shall be free from discrimination based on race, color, ancestry, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity or expression, or genetic information; the perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.

CLOSED CAMPUS

No student may leave campus during the day, including lunchtime, unless released to parent/guardian or authorized party, and approval by the principal. Student guests are not allowed on campus.

STUDENT CHECK IN/OUT

It is necessary for any student leaving campus for any reason to check out through the school office. If a student is late to school, he/she must check in through the office.

HOMELESS STUDENTS

Paula Wyant, Superintendent, has been appointed to be the contact person to assist students who are in homeless situations. MTUESD will ensure access to education and support services, and disseminate notice of educational rights.

EARLY RELEASE DAYS

All minimum days are indicated on the school calendar.

Comprehensive School Safety Plan

School District
Mark Twain Union Elementary School District
Section 9: Rules and Procedures of School Discipline
Part 2: School Rules

SCHOOL RULES

1. Safety is a high priority in our schools. Students shall not endanger themselves or others by rough playing or fighting.
2. Students shall not misuse school property or the personal property of others. This includes: damaging textbooks, electronic devices, desks and misuse of restroom facilities.
3. Students shall not use profanity, or vulgarity, nor verbally abuse others. This includes: obscene gestures, swearing, threatening others and the use of racial slurs.
4. Students shall not disrupt teaching and learning activities, or defy the responsible adults on campus.
5. The use of personal electronic devices must be used for educational purposes approved by staff. Any student found using personal electronic devices inappropriately will be required to surrender the device to school personnel and it will be held at the school office until the parent is contacted to come to school to pick it up.
6. Students shall not disobey the direction nor defy the authority of school personnel. This includes: repeated disobedience of established classroom rules, willfully doing something different than directed by school personnel, using disrespectful language or behavior towards school personnel.
7. Students shall not be dishonest in their dealings with school personnel. This includes: forgery of note signatures, excuses, or other school documents, cheating or lying to school personnel.
8. Student relationships – Students are responsible for showing maturity and mutual respect in their relationships. While there is no one specific rule, appropriate behavior will be handled individually by teachers, administrators, or counselors so that respect and maturity govern such behavior. Students will conduct themselves appropriately, in a manner that is customarily considered to be in good taste by the greater community. Public displays of affection such as, but not limited to holding hands, hugging and kissing, are not appropriate in school.
9. Severe misbehavior – Conduct that is so serious as to warrant immediate referral to the principal. This includes: severe infractions of any of the school rules, having or using the following items at school: tobacco, alcohol, controlled substances, weapons, any materials deemed dangerous or offensive and repeated offenses for which other interventions do not seem to be working.

10. Skateboard, scooters, roller blades, wheelies-type of shoes, gum and sunflower seeds are not allowed on campus.

Comprehensive School Safety Plan

School District
Mark Twain Union Elementary School District
Section 9: Rules and Procedures of School Discipline
Part 3: Drugs, Tobacco, Alcohol

TOBACCO-FREE SCHOOLS

The Governing Board recognizes that smoking and other uses of tobacco and nicotine products constitute a serious public health hazard and are inconsistent with district goals to provide a healthy environment for students and staff.

The Board prohibits smoking and/or the use of tobacco products at any time in district-owned or leased buildings, on district property, and in district vehicles. (Health and Safety Code 104420, 104559) These prohibitions apply to all employees, students, and visitors at any school-sponsored instructional program, activity, or athletic event held on or off district property. Any written joint use agreement governing community use of district facilities or grounds shall include notice of the district's tobacco-free schools policy and consequences for violations of the policy.

Smoking means inhaling, exhaling, burning, or carrying of any lighted or heated cigar, cigarette, pipe, tobacco, or plant product intended for inhalation, whether natural or synthetic, in any manner or form, and includes the use of an electronic smoking device that creates aerosol or vapor or of any oral smoking device for the purpose of circumventing the prohibition of smoking. (Business and Professions Code 22950.5; Education Code 48901)

Comprehensive School Safety Plan

School District
Mark Twain Union Elementary School District
Section 10: Crime Assessment
Administrative Regulation 3515.1

Administrative Regulation 3515.1

The principal or designee at each school shall complete a California Safe Schools Assessment (CSSA) incident form for each incident of school crime, including hate motivated incidents and hate crimes. The information on the form includes, but is not limited to, identification of the crime or hate-motivated incident, victim characteristics, suspect characteristics if known at the time of the incident, and the actual or estimated dollar loss to the district resulting from a criminal act directed against district property. (Penal Code 628.2; 5 CCR 701)

The principal or designee shall use the crime and hate-motivated incident classifications specified in 5 CCR 700 and the reporting guidelines specified in 5 CCR 702 to determine if an incident is reportable. (5 CCR 701)

Each month, the principal shall report the data to the Superintendent or designee. (5 CCR 701)

On or before February 1 and August 1 or each year, the Superintendent or designee shall aggregate the data reported by the schools and report this aggregated data to the California Department of Education or its designee. (5 CCR 701)

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 or its designee. (5 CCR 704) Copies of CSSA incident forms and any district-wide 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 Board of Education for the crime classifications specified in Education Code 48915(a)-(d)

159

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

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)

Comprehensive School Safety Plan

School District
Mark Twain Union Elementary School District
Section 11: Campus Security

Campus Security

The Superintendent or designee shall develop a campus security plan which contributes to a positive school climate, fosters social and emotional learning and student well-being, and includes strategies to:

1. Secure the campus perimeter and school facilities in order to prevent criminal activity.

These strategies include a risk management analysis of each campus' security system, lighting system, and 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 and interior spaces from outsiders and discourage trespassing.

These strategies may include installing locks, cameras, requiring visitor registration, providing staff and student identification tags, and patrolling places used for congregating and loitering

3. Discourage vandalism and graffiti

These strategies may include plans to immediately cover graffiti and implement campus beautification projects.

4. Control access to keys and other school inventory

Keys shall never be loaned to students, parents/guardians, or volunteers, nor shall the master key ever be loaned. Any person issued a key shall be responsible for its safekeeping. The duplication of school keys is prohibited. If a key is lost, the person responsible shall immediately report the loss to the principal or designee and shall pay for a replacement key.

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

The principal or designee shall create a key control system with a record of each key assigned and room (s) or building (s) which the key opens

Locks

All state-funded new construction and modernization projects shall include locks that allow doors to classrooms and any room with an occupancy of five or more persons to be locked from the inside. Student restrooms and doors that lock from the outside at all times are not required to have locks that can be locked from the inside.

5. Detect and intervene with school crime

These strategies may include creating a school watch program, increasing adult presence and supervision, establishing an anonymous crime reporting system, analyzing school crime incidents, and collaborating with local law enforcement agencies, including providing for law enforcement presence. All staff shall receive training in building and grounds security procedures and emergency responses.

Comprehensive School Safety Plan

School District
Mark Twain Union Elementary School District
Section 12: Threat Assessment

Threat Assessment

1. When a staff member is aware that a student has planned, caused or tried to cause another person serious bodily injury, or any injury that requires professional medical treatment the principal or principal designee will follow Calaveras County Office of Education's Threat analysis flow chart.
2. A threat assessment team will be composed of School Administer, School Resource Officer and School or County Mental Health Employee

Calaveras County Schools: Threat Assessment Flow Chart

Threat Reported to Adult

Step 1: Evaluate Threat

- a. Obtain a specific account of the threat by interviewing the student who made threat, the recipient of threat, and other witnesses
- b. Write down the exact content of the threat and statements made by each party
- c. Consider the circumstances in which the threat was made and the student's intentions

Threat is
Clearly
Transient

Step 2: Decide Whether Threat is Clearly Transient or Substantive

- a. Consider criteria for transient versus substantive threats
- b. Consider student's age, credibility, and previous discipline history

Threat is
Substantive
or Meaning
is Unclear

Step 3: Respond to Transient Threat

Typical responses may include reprimand, parental notification, or other disciplinary action. Student may be required to make amends and attend mediation or counseling.

Step 4: Decide whether the Substantive Threat is serious or very serious

A serious threat might involve a threat to assault someone (I'm gonna beat that kid up)

A very serious threat involves use of a weapon or is a threat to kill, rape, or inflict severe injury

Step 5: Respond to Serious Substantive Threat

- a. Take immediate precautions to protect potential victims
- b. Notify intended victim and victim's parents
- c. Notify student's parents
- d. Consider contacting law enforcement
- e. Refer student for counseling, dispute mediation, or other appropriate intervention
- f. Discipline student as appropriate to severity and chronicity of situation

Step 6: Conduct Safety Evaluation

- a. Take immediate precautions to protect potential victims, including notifying the victim and victim's parents
- b. Consult with law enforcement
- c. Notify student's parents
- d. Begin a mental health evaluation of the student
- e. Discipline student as appropriate

Step 7: Implement a Safety Plan

- a. Complete a written plan
- b. Maintain contact with the student
- c. Revise plan as needed

Comprehensive School Safety Plan

School District
Mark Twain Union Elementary School District
Section 13: Safe Storage of Firearms and School Safety and Security

District and school administrators must help educate parents and guardians about firearm safety and California's child access to firearms prevention laws; it is a crime for a person to negligently store or leave a loaded firearm in a place where a child is likely to access it.

It is urgent to inform your school community about the law regarding safe storage of firearms. Sample templates (in English and Spanish) for memoranda to parents and guardians informing them of the laws in California regarding safe storage of firearms are available on CDE's Violence Prevention web page at:

<https://www.cde.ca.gov/ls/ss/vp/>

Sample Firearms Safety Memorandum

To: Parents and Guardians of Students in the [Insert Name of School District]

From: [Insert Name of Superintendent]

Subject: California Law Regarding Safe Storage of Firearms

The purpose of this memorandum is to inform and to remind parents and legal guardians of all students in the [Insert Name of School District] of their responsibilities for keeping firearms out of the hands of children as required by California law. There have been many news reports of children bringing firearms to school. In many instances, the child obtained the firearm(s) from his or her home. These incidents can be easily prevented by storing firearms in a safe and secure manner, including keeping them locked up when not in use and storing them separately from ammunition.

To help everyone understand their legal responsibilities, this memorandum spells out California law regarding the storage of firearms. Please take some time to review this memorandum and evaluate your own personal practices to assure that you and your family are in compliance with California law.

- With very limited exceptions, California makes a person criminally liable for keeping any firearm, loaded or unloaded, within any premises that are under their custody and control where that person knows or reasonably should know that a child is likely to gain access to the firearm without the permission of the child's parent or legal guardian, and the child obtains access to the firearm and thereby (1) causes death or injury to the child or any other person; (2) carries the firearm off the premises or to a public place, including to any preschool or school grades kindergarten through twelfth grade, or to any school-sponsored event, activity, or performance; or (3) unlawfully brandishes the firearm to others.¹

- Note: The criminal penalty may be significantly greater if someone dies or suffers great bodily injury as a result of the child gaining access to the firearm.

- With very limited exceptions, California also makes it a crime for a person to negligently store or leave any firearm, loaded or unloaded, on their premises in a location where the person knows or reasonably should know that a child is likely to gain access to it without the permission of the child's parent or legal guardian, unless reasonable action is taken to secure the firearm against access by the child, even where a minor never actually accesses the firearm.²

1 See California Penal Code sections 25100 through 25125 and 25200 through 25220.

2 See California Penal Code section 25100(c).

- In addition to potential fines and terms of imprisonment, as of January 1, 2020, a gun owner found criminally liable under these California laws faces prohibitions from possessing, controlling, owning, receiving, or purchasing a firearm for 10 years.³
- Finally, a parent or guardian may also be civilly liable for damages resulting from the discharge of a firearm by that person's child or ward.⁴

Note: Your county or city may have additional restrictions regarding the safe storage of firearms.

Thank you for helping to keep our children and schools safe. Remember that the easiest and safest way to comply with the law is to keep firearms in a locked container or secured with a locking device that renders the firearm inoperable.

Sincerely,

[Insert Name of Superintendent]

3. See California Civil Code Section 29805. 4
4. See California Civil Code Section 1714.3.

Muestra de Notificación del Almacenamiento Seguro de Armas de Fuego

Para: Padres y Tutores Legales de los Estudiantes en el Distrito Escolar [Insertar nombre del distrito escolar]

De: [Insertar Nombre de Superintendente]

Tema: Ley de California con Respecto al Almacenamiento Seguro de Armas de Fuego

El propósito de esta notificación es informarles y recordarles a los padres y los tutores legales de todos los estudiantes en el Distrito Escolar [Insertar nombre del distrito escolar] de sus responsabilidades de mantener las armas fuera del alcance de los niños, según se requiere la ley de California. Ha habido muchos reportajes de niños que llevan armas de fuego a la escuela. En muchos casos el niño obtuvo el arma/las armas de fuego de su hogar. Estos incidentes se pueden prevenir fácilmente por guardar las armas de fuego en una manera segura, incluyendo manteniéndolas bajo llave cuando no se usan y con municiones almacenadas por separado.

Para que todos entiendan sus responsabilidades legales, esta notificación detalla la ley de California con respecto al almacenamiento de armas de fuego. Por favor tome el tiempo necesario para revisar esta notificación y evalúe sus propias prácticas personales para asegurar que ustedes y su familia cumplan con la ley de California.

· Con muy pocas excepciones, en California una persona es penalmente responsable por guardar cualquier arma de fuego, cargada o no cargada, dentro de cualquier sitio bajo su custodia y control donde esa persona sabe o razonablemente debe saber que es probable que un niño logre acceder el arma de fuego sin permiso del padre de familia o del tutor legal, y el niño logra acceder el arma de fuego y por lo tanto (1) causa la muerte o lesiones al niño o a cualquier otra persona; (2) se lleva el arma de fuego fuera de los locales o a un lugar público, incluyendo a cualquier escuela preescolar o escuela K-12 o a cualquier otro evento, actividad, o espectáculo patrocinado por la escuela; o (3) blande ilícitamente el arma de fuego delante de otras personas.¹

o Nota: La sanción penal podría ser mucho mayor si alguien muere o sufre una gran lesión corporal como resultado de que el niño lograra acceso al arma de fuego.

· Con muy pocas excepciones, en California también es un delito almacenar o dejar negligentemente, cargada o no, cualquier arma de fuego, en sus locales en un sitio donde una persona sabe o razonablemente debe saber que es probable que un niño logre acceso al arma sin permiso del padre de familia o del tutor legal, a menos que tome acción r

1 1 Ve a Código Penal de California, secciones 25100 a 25125 y 25200 a 25220.

2 2 Ve a Código Civil de California, sección 25100(c)

3 3 Ve a Código Civil de California, sección 29805.

4 4 Ve a Código Civil de California, sección 1714.3.

Con muy pocas excepciones, en California también es un delito almacenar o dejar negligentemente, cargada o no, cualquier arma de fuego, en sus locales en un sitio donde una persona sabe o razonablemente debe saber que es probable que un niño logre acceso al arma sin permiso del padre de familia o del tutor legal, a menos que tome acción razonable para asegurar que el arma de fuego no sea accesible al niño, aun cuando un menor de edad efectivamente no acceda nunca el arma de fuego. ²

· Además de multas y plazos de encarcelamiento potenciales, desde el primero de enero de 2020, al dueño de un arma de fuego declarado responsable penalmente bajo estas leyes de California, se le puede prohibir poseer, controlar, ser dueño, recibir, o comprar un arma de fuego por 10 años.³

· Finalmente, un padre de familia o tutor legal también podría ser responsable civilmente por los daños y perjuicios resultantes de la descarga de un arma de fuego por el niño o el pupilo de esa persona. ⁴

Nota: Su condado o su ciudad podría tener restricciones adicionales en cuanto al almacenamiento de armas de fuego.

Gracias por ayudar a mantener seguros nuestros niños y nuestras escuelas. Recuerde que la manera más fácil y segura de cumplir con la ley es guardar las armas de fuego en un recipiente asegurado con llave o aseguradas con un mecanismo de seguridad que hace inservible el arma de fuego.

Atentamente,

[Insertar nombre del superintendente]

Fecha de pu

1 ¹ Vea Código Penal de California, secciones 25100 a 25125 y 25200 a 25220.

2 ² Vea Código Civil de California, sección 25100(c)

3 ³ Vea Código Civil de California, sección 29805.

4 ⁴ Vea Código Civil de California, sección 1714.3.

Schools alone cannot prevent incidents of gun violence. It is the responsibility of parents, guardians, and household members to store firearms according to California law. Tips and information about firearms safety, including Rules for Kids, can be found on the State of California Department of Justice Firearm Safety web page at: <https://oag.ca.gov/firearms/tips>

THE SIX BASIC GUN SAFETY RULES

There are six basic gun safety rules for gun owners to understand and practice at all times:

1. Treat all guns as if they are loaded. Always assume that a gun is loaded even if you think it is unloaded. Every time a gun is handled for any reason, check to see that it is unloaded. If you are unable to check a gun to see if it is unloaded, leave it alone and seek help from someone more knowledgeable about guns.
2. Keep the gun pointed in the safest possible direction. Always be aware of where a gun is pointing. A "safe direction" is one where an accidental discharge of the gun will not cause injury or damage. Only point a gun at an object you intend to shoot. Never point a gun toward yourself or another person.
3. Keep your finger off the trigger until you are ready to shoot. Always keep your finger off the trigger and outside the trigger guard until you are ready to shoot. Even though it may be comfortable to rest your finger on the trigger, it also is unsafe. If you are moving around with your finger on the trigger and stumble or fall, you could inadvertently pull the trigger. Sudden loud noises or movements can result in an accidental discharge because there is a natural tendency to tighten the muscles when startled. The trigger is for firing and the handle is for handling.
4. Know your target, its surroundings and beyond. Check that the areas in front of and behind your target are safe before shooting. Be aware that if the bullet misses or completely passes through the target, it could strike a person or object. Identify the target and make sure it is what you intend to shoot. If you are in doubt, DON'T SHOOT! Never fire at a target that is only a movement, color, sound or unidentifiable shape. Be aware of all the people around you before you shoot.
5. Know how to properly operate your gun. It is important to become thoroughly familiar with your gun. You should know its mechanical characteristics including how to properly load, unload and clear a malfunction from your gun. Obviously, not all guns are mechanically the same. Never assume that what applies to one make or model is exactly applicable to another. You should direct questions regarding the operation of your gun to your firearms dealer, or contact the manufacturer directly.

6. Store your gun safely and securely to prevent unauthorized use. Guns and ammunition should be stored separately. When the gun is not in your hands, you must still think of safety. Use a California-approved firearms safety device on the gun, such as a trigger lock or cable lock, so it cannot be fired. Store it unloaded in a locked container, such as a California-approved lock box or a gun safe. Store your gun in a different location than the ammunition. For maximum safety you should use both a locking device and a storage container.

ADDITIONAL SAFETY POINTS

The six basic safety rules are the foundational rules for gun safety. However, there are additional safety points that must not be overlooked.

- Never handle a gun when you are in an emotional state such as anger or depression. Your judgment may be impaired.
- Never shoot a gun in celebration (the Fourth of July or New Year's Eve, for example). Not only is this unsafe, but it is generally illegal. A bullet fired into the air will return to the ground with enough speed to cause injury or death.
- Do not shoot at water, flat or hard surfaces. The bullet can ricochet and hit someone or something other than the target.
- Hand your gun to someone only after you verify that it is unloaded and the cylinder or action is open. Take a gun from someone only after you verify that it is unloaded and the cylinder or action is open.
- Guns, alcohol and drugs don't mix. Alcohol and drugs can negatively affect judgment as well as physical coordination. Alcohol and any other substance likely to impair normal mental or physical functions should not be used before or while handling guns. Avoid handling and using your gun when you are taking medications that cause drowsiness or include a warning to not operate machinery while taking this drug.
- The loud noise from a fired gun can cause hearing damage, and the debris and hot gas that is often emitted can result in eye injury. Always wear ear and eye protection when shooting a gun.

GUNS AND CHILDREN--FIREARM OWNER RESPONSIBILITIES

Summary of Safe Storage Laws Regarding Children

You may be guilty of a misdemeanor or a felony if you keep a loaded firearm within any premises that are under your custody or control and a child under 18 years of age obtains and uses it, resulting in injury or death, or carries it to a public place, unless you stored the firearm in a locked container or locked the firearm with a locking device to temporarily keep it from functioning.

You Cannot Be Too Careful with Children and Guns

There is no such thing as being too careful with children and guns. Never assume that simply because a toddler may lack finger strength, they can't pull the trigger. A child's thumb has twice the strength of the other fingers. When a toddler's thumb "pushes" against a trigger, invariably the barrel of the gun is pointing directly at the child's face. NEVER leave a firearm lying around the house.

Child safety precautions still apply even if you have no children or if your children have grown to adulthood and left home. A nephew, niece, neighbor's child or a grandchild may come to visit. Practice gun safety at all times.

To prevent injury or death caused by improper storage of guns in a home where children are likely to be present, you should store all guns unloaded, lock them with a firearms safety device and store them in a locked container. Ammunition should be stored in a location separate from the gun.

Talking to Children About Guns

Children are naturally curious about things they don't know about or think are "forbidden." When a child asks questions or begins to act out "gun play," you may want to address his or her curiosity by answering the questions as honestly and openly as possible. This will remove the mystery and reduce the natural curiosity. Also, it is important to remember to talk to children in a manner they can relate to and understand. This is very important, especially when teaching children about the difference between "real" and "make-believe." Let children know that, even though they may look the same, real guns are very different than toy guns. A real gun will hurt or kill someone who is shot.

Instill a Mind Set of Safety and Responsibility

The American Academy of Pediatrics reports that adolescence is a highly vulnerable stage in life for teenagers struggling to develop traits of identity, independence and autonomy. Children, of course, are both naturally curious and innocently unaware of many dangers around them. Thus, adolescents as well as children may not be sufficiently safeguarded by cautionary words, however frequent. Contrary actions can completely undermine good advice. A "Do as I say and not as I do" approach to gun safety is both irresponsible and dangerous.

Remember that actions speak louder than words. Children learn most by observing the adults around them. By practicing safe conduct you will also be teaching safe conduct.

Safety and Storage Devices

If you decide to keep a firearm in your home you must consider the issue of how to store the firearm in a safe and secure manner. California recognizes the importance of safe storage by requiring that all firearms sold in California be accompanied by a DOJ-approved firearms safety device or proof that the purchaser owns a gun safe that meets regulatory standards established by the Department. The current list of DOJ-approved firearms safety devices and the gun safe standards can be viewed by visiting <http://oag.ca.gov/firearms/fsdcertlist>.

There are a variety of safety and storage devices currently available to the public in a wide range of prices. Some devices are locking mechanisms designed to keep the firearm from being loaded or fired, but don't prevent the firearm from being handled or stolen. There are also locking storage containers that hold the firearm out of sight. For maximum safety you should use both a firearm safety device and a locking storage container to store your unloaded firearm.

Two of the most common locking mechanisms are trigger locks and cable locks. Trigger locks are typically two-piece devices that fit around the trigger and trigger guard to prevent access to the trigger. One side has a post that fits into a hole in the other side. They are locked by a key or combination locking mechanism. Cable locks typically work by looping a strong steel cable through the action of the firearm to block the firearm's operation and prevent accidental firing. However, neither trigger locks nor cable locks are designed to prevent access to the firearm.

Smaller lock boxes and larger gun safes are two of the most common types of locking storage containers. One advantage of lock boxes and gun safes is that they are designed to completely prevent unintended handling and removal of a firearm. Lock boxes are generally constructed of sturdy, high-grade metal opened by either a key or combination lock. Gun safes are quite heavy, usually weighing at least 50 pounds.

While gun safes are typically the most expensive firearm storage devices, they are generally more reliable and secure.

Remember: Safety and storage devices are only as secure as the precautions you take to protect the key or combination to the lock.

RULES FOR KIDS

Adults should be aware that a child could discover a gun when a parent or another adult is not present. This could happen in the child's own home; the home of a neighbor, friend or relative; or in a public place such as a school or park. If this should happen, a child should know the following rules and be taught to practice them.

1. **Stop**

The first rule for a child to follow if he/she finds or sees a gun is to stop what he/she is doing.

2. **Don't Touch!**

The second rule is for a child not to touch a gun he/she finds or sees. A child may think the best thing to do if he/she finds a gun is to pick it up and take it to an adult. A child needs to know he/she should NEVER touch a gun he/she may find or see.

3. **Leave the Area**

The third rule is to immediately leave the area. This would include never taking a gun away from another child or trying to stop someone from using gun.

4. **Tell an Adult**

The last rule is for a child to tell an adult about the gun he/she has seen. This includes times when other kids are playing with or shooting a gun. Please note that, while there is no better advice at this time for children or adolescents who encounter a gun by happenstance, the California Chapter of the American College of Emergency Physicians reports that such warnings alone may be insufficient accident prevention measures with children and adolescents.

METHODS OF CHILDPROOFING YOUR FIREARM

As a responsible handgun owner, you must recognize the need and be aware of the methods of childproofing your handgun, whether or not you have children.

Whenever children could be around, whether your own, or a friend's, relative's or neighbor's, additional safety steps should be taken when storing firearms and ammunition in your home.

- Always store your firearm unloaded.

- Use a firearms safety device AND store the firearm in a locked container.
- Store the ammunition separately in a locked container.

Always storing your firearm securely is the best method of childproofing your firearm; however, your choice of a storage place can add another element of safety. Carefully choose the storage place in your home especially if children may be around.

- Do not store your firearm where it is visible.
- Do not store your firearm in a bedside table, under your mattress or pillow, or on a closet shelf.
- Do not store your firearm among your valuables (such as jewelry or cameras) unless it is locked in a secure container.
- Consider storing firearms not possessed for self-defense in a safe and secure manner away from the home.

Comprehensive School Safety Plan

School District
Mark Twain Union Elementary School District
Section 14: Appendices

Appendix A: Personnel Assignments

Appendix B: Emergency Contact Numbers

Appendix C: Emergency Supplies

Appendix D: Maps

Appendix E: School Site Council Meeting Approval

APPENDIX A

Personnel Assignments

Mark Twain Union Elementary School District District Personnel 2021-2022

District Office		
	Paula Wyant	Superintendent
	Elaine Neilsen	Chief Business Official
	Bernadette Moran	Accounts payable/Purchasing
	Jamie Murphy	Payroll/HR
	Samantha Austin	Administrative Assistant
	Bill Davis	Operations Manager
		School Nurse
Maintenance and Operations		
	Rhiannon Rogers	Custodian
	Jill Canepa	Custodian
	Russ Camp	Custodian
	John Traverso	Custodian
	Ken Malvini	Grounds/Maintenance
Transportation	Bill Davis	Transportation Manager
	Billy Sundlin	Mechanic
	Nathan & Gay	Bus Driver
Food Service		
	Amy Kilgore	Food Service Worker
	Donovan Deck	Food Service Worker
		Food Service Worker
		Food Service Worker
		Food Service Worker
Mark Twain Elementary: Administration		
	Gary Pogue	Principal
	Jocelyn Perlow	Learning Director
Office Support Staff		
	Harmony Skrobecky	Secretary
	Emily Anderson	Office Clerk
Teaching Staff		
	Airola, Jeffery	
	Bailey, Josh	
	Bicknell, Michelle	
	Birdwell, Olivia	
	Bottomley, Jessica	
	Duncan, Michelle	
	Duren, Laura	
	Eaves, Claudia	
	Felix, Kel Lee	

	Garrison, Sonya	
	Gehres, Paul	
	Hildebrand, Tami	
	Lenior, Tamsen	
	Martinez, Chandra	
	Mejia, Sharon	
	Miller, Justin	
	Mueller, Cathy	
	Pyle, Tessa	
	Sherrow, Amber	
	Sparks, Cody	
	Swanner, Ken	
	Taylor, Jana	
	Teale, Molly	
Para Educators	Baca, Tina	
	Castro, Rudy	
	Deck, Kathryn	
	Golliher, Allison	
	Leary, Dana	
	Nolan, Tiffani	
	Porter, Cynthia	
	Renteria, Jonas	
	Selby, Julie	
	Warwick-Johnson, Traci	
	West, Naomi	
Support Staff	Pam Heise	Computer Technician
	Lloyd Longway	Adaptive PE - CCOE
	Tonya Ziehlke	Library Technician
	Lori Oliver	Counselor
	Linda Springer	Counselor

APPENDIX B

EMERGENCY CONTACT NUMBERS

Emergency Contact Numbers (Area code 209)

Vendor	Number	Comments
Office of Emergency services	754-2890	
PG&E	1-800-743-5000	24 hour emergency
City Water Service	736-0790	Water Emergency
Angels Police Dept.	9-1-1 or 736-2567	office hours 8:00 – 5:30
Sheriff's Dept.	754-6500	
Animal Control	754-6509	
Child Protective Service	754-6453	
County Health Dept.	754-6460	
Sanitation & Flood Control	754-6402	Public works
Fire Station	9-1-1. Or 754-1187 (for fire only)	Non-emergency 736-4081
American Red Cross	533-1513	Disaster Assistances
Radio Stations		
KVML/KKBN Radio	533-1450	
Other Assistance		
WeTip	800-78-CRIME, 800-47-ARSON and 800-US-FRAUD	

**Mark Twain Union Elementary School District
District Personnel – 2018-2019**

(Area code 209)

	TITLE	Work phone	Cell phone	Home phone
DISTRICT OFFICE		736-1855	FAX 736-6888	
	Paula Wyant, Superintendent	785-1858	768-0366	984-4933
Maintenance/Operations				
	Bill Davis, Operations Manager	736-6562	559-4308	736-1108
Transportation			FAX 736-6945	
	Bill Davis, Operations Manager	736-6562	559-4308	736-1108
Food Service				
	Paula Wyant, Director Food Service	736-1855		
MARK TWAIN ELEMENTARY		736-6533	FAX 736-6537	
	Gary Pogue, Principal	736-6533	642-2994	
	Harmony Skrobecky, Secretary	736-6533		
	Emily Anderson, Office clerk	736-6533		
COPPEROPOLIS ELEMENTARY		782-3500	FAX 785-4309	
	Sara Tuthill	782-3500		
	Secretary	782-3500		

APPENDIX C

Emergency Supplies

Mark Twain Elementary School

Crisis Bag

☐ Current Class List w/phone numbers (This is the teacher's responsibility to print and keep current)

☐ First Aid Kit w/room number (remains secure w/lock)

☐ Flashlight w/room number & batteries (not installed)

☐ Red Card (means student is missing and you need help)

☐ Blue Card (indicates a medical emergency and help is needed)

☐ Green Card (all students are present, everything is OK)

☐ Yellow nylon "vest"

☐ Please sign and return:

Staff Signature

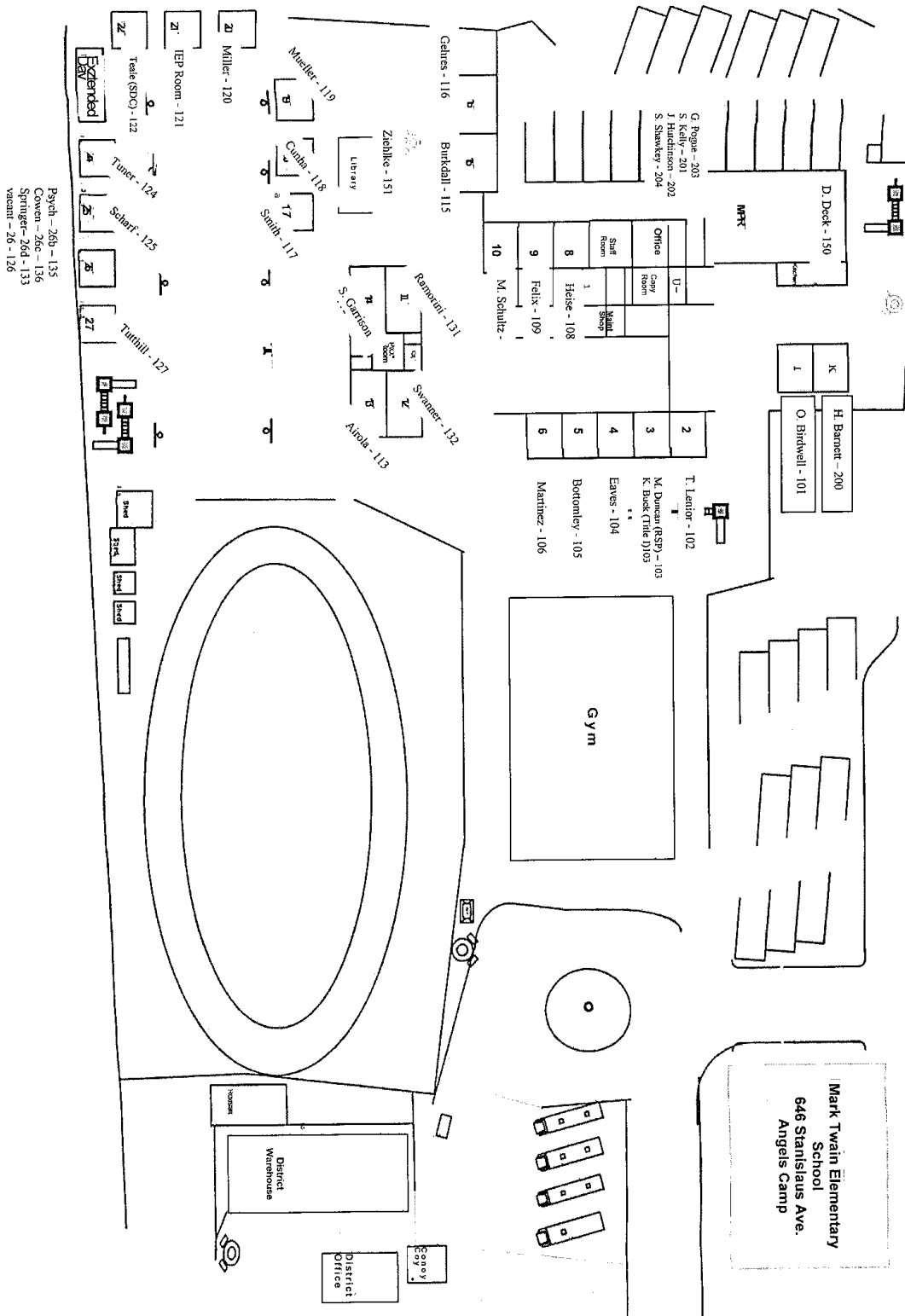
Room #

Date

APPENDIX D

Maps

Mark Twain Elementary School Staffing 2019-2020



APPENDIX E

School Site Council Approval

Mark Twain Elementary School Site Council Approval

Date of Review and Approval March 14, 2022

School Site President: _____ Date: _____

Principal: _____ Date: _____